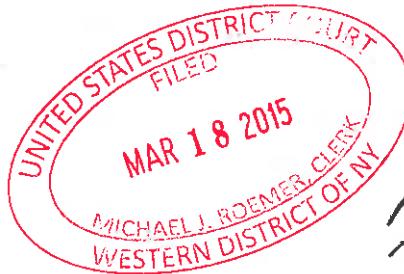


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

Carlos Abreu  
# 99A3027

- Plaintiff -

- Against -



PRISONER CIVIL  
RIGHT COMPLAINT  
42 U.S.C. § 1983

ROBERT HAMILTON;

JAN SZABLICK;

JEFFREY MAYER;

BENJAMIN WILSON;

PATRICK CONNOLLY;

KAREN CROWLEY;

BRIAN FREEMAN;

MICHAEL A. HILL;

JOEL GRODE;

PAUL REID;

MARGARET STIRK;

DIANE TOPOREK;

LARRY WYZYKOWSKI;

DANYELLE HODGES;

ROSALYN KILLINGER;

JOYCE KRIGIER;

ROBERT SKUBIS;

SUSAN SCHUMACHER;

JACK MORA;

LAWRA SOWA;

CURTIS SNOWDEN

CURTIS SNOWDEN JR.

michael HERBISON;

JACQUELINE LEVITT;

HENRY MAGYAR;

DONNA REINHARDT

CIVIL NO.

JURY TRIAL  
DEMANDED

TAYLOR ROBERTS;  
William Gregoire;  
Elizabeth Blake;  
Michael Lucas;  
Steve Furlani;  
MARY GEARY;  
Nicole Fink;  
Eileen Fucina;  
Cindy Ferron;  
JEFFREY HRF;  
LESLIE Lissom;  
Lisa La Penna;  
Edward Meyer;  
Tamara Davis;  
Rondall Labeledz;  
Sergio Vazquez;  
Jane John 1;  
Jane John 2;  
Jane John 3;  
MARYLISA Harden;  
JEFFREY KEENAN;  
John Lempke;  
KEVIN J. BROWN;  
MAUREEN BOCC;  
CARL J. KOENIGSMANN;  
Joseph F. Beccaria;  
JEFF MCKOY;  
Doris Ramirez-Romero;  
KAREN Bellamy;  
ALBERT PRACK / D. Venetozzi;  
STEPHEN M. ASH;  
Chief Inspector General:  
EMMANUEL POWELL / MENDEZ;  
Dol Johns / Kevin Rosblock;  
Jill Grant / L.T. R. Fischer;  
Debra Manning;  
MAUREEN BARCO  
OMH Commissioner  
NEW YORK State  
OFFICE OF MENTAL HEALTH  
N.Y.S DEPARTMENT OF CORRECTION AND COMMISSIONER A. ANNUNZI.  
+ Defendants +  
#12,

INTRODUCTION

This is a civil Rights action filed by Carlos Abreu, a state prisoner, for damages and injunctive relief under 42 U.S.C. § 1983, alleging violations of his 1st, 4th, 5th, 8th and 14th Amendment to the United States Constitution. Alleging excessive confinement in special housing unit. Violations of the Due Process in several Disciplinary Hearings. Horsh conditions or confinement that placed his safety health and well being in an imminent danger of serious physical and psychological injuries. Denial of proper and adequate medical and mental health care. Violations of his Religious needs/belief. Conspiracies and Retaliations from several persons/staff/officials. Discriminations sexual harassments, threats of physical assault denial of FOIL request. False reports. Damages of legal materials. Violations of the ADA and Rehabilitation Act. Violations of the APA. Denial of Court Access/law library photocopy/Access to law library services. Interfering with active, pendent and future lawsuits/cases/actions/proceedings and claims. Denial of access to the facility inmate claims. interfering with grievance complaints and investigations. Deliberate indifference and intentional misconducts of Defendants. Physical assault with hot water provoked injuries, Denial of foods and other many misconducts and abuses made by the Defendants in violation of the Constitution Human Rights International law Federal and state laws, Regulations, Directives and policies. The Plaintiff also alleges the torts of assault and battery and negligence and malpractices under state law claims see 28 U.S.C § 1337 of the which this court has jurisdiction to hear.

## Jurisdiction

- 1) The court has jurisdiction over the Plaintiff's claims of violation of Federal Constitutional Rights under 42 U.S.C § 1331(1), AND 1543.
- 2) The court has supplemental jurisdiction over the Plaintiff's state law TORT claims under 28 U.S.C § 1337

## Parties

- 3) The Plaintiff CARLOS AREO IS INCARCERATED AT WENDE CORRECTIONAL FACILITY (WENDE) OR (WENDE SHU) DURING THE EVENTS DESCRIBED IN THIS COMPLAINT
- 4) Defendants HAMILTON; SZABLIK; POWELL; MONTGOMERY; MAXER; REID; HERBISON; WILSON; RAISBLOCK; AND MAGYAR ARE CORRECTIONAL OFFICERS EMPLOYED AT WENDE/SHU THEY ARE SUED IN THEIR INDIVIDUAL CAPACITIES.
- 5) Defendants CONNOLLY; FREEMAN; HODGES; MEOKA; GREGOIRE; ROBERTS ARE SGT'S/ SERGEANTS (CORRECTIONAL SERGEANTS) EMPLOYED AT WENDE/SHU THEY ARE SUED IN THEIR OFFICIAL AND INDIVIDUAL CAPACITIES
- 6) Defendant KAREN CROWLEY IS THE DEPUTY SUPERINTENDENT FOR PROGRAM SERVICES EMPLOYED AT WENDE SHE IS SUED IN HER OFFICIAL AND INDIVIDUAL CAPACITIES
- 7) Defendant MICHAEL HILL IS THE ASSISTANT OF THE DEPUTY Supt FOR PROGRAM/PREA COMPLIN HE IS SUED IN HIS OFFICIAL AND INDIVIDUAL CAPACITIES  
#14,

- 8) Defendant Joyce Groden is the Senior Librarian employed at Wende. He is sued in his individual capacity.
- 9) Defendant Margaret Stark is the OMH Unit Chief employed at Wende. She is sued in her individual capacity.
- 10) Defendant Dionne Troporek is the Nurse Administrator employed at Wende. She is sued in her individual capacity.
- 11) Defendant Larry Wyzykowski is the Optician employed at Wende. He is sued in his individual capacity.
- 12) Defendant Donelle Hobger is the Sergeant employed at Wende. She is sued in her individual capacity.
- 13) Defendant Rosalyn Killinger is the Deputy Superintendent of Health employed at Wende. She is sued in her individual and official capacities.
- 14) Defendant Joyce Krygier is the FOIC Request Officer/Inmate Records Coordinator employed at Wende. She is sued in her individual capacity.
- 15) Defendant Robert Skubis is the SHU Correction Counselor employed at Wende. He is sued in his individual capacity.
- 16) Defendant Susan Schumacher is the Deputy Superintendent for Administration employed at Wende. She is sued in her individual capacity.

- 17) Defendants Laura Sowa; Michael Lucas; Randall Labeledz; AND Fischer; (And) JEFFREY KELAN are a Lieutenant (Correctional Lieutenant) in charge OF THE ADMINISTRATIVE SEGREGATION / SITE EMPLOYED AT WENDE THEY ARE SUED IN THEIR INDIVIDUAL AND OFFICIAL CAPACITIES.
- 18) Defendants CURTIS SNOWDEN AND CURTIS SNOWDEN JR ARE THE RECREATION PROGRAM LEADER I AND LEADER II EMPLOYED AT WENDE C.R. THEY ARE SUED IN THEIR INDIVIDUAL CAPACITIES.
- 19) Defendant Jacqueline Levin is THE FACILITY HEALTH SERVICES DIRECTOR AND PHYSICIAN EMPLOYED AT WENDE. AT WENDE SHE IS SUED IN HER OFFICIAL AND INDIVIDUAL CAPACITIES.
- 20) Defendant Elizabeth Blake is THE FACILITY INSTITUTION STEWARD EMPLOYED AT WENDE. SHE IS SUED IN HER INDIVIDUAL AND OFFICIAL CAPACITY.
- 21) Defendant Steve Furlani is THE EDUCATION SUPERVISOR EMPLOYED AT WENDE. HE IS SUED IN HIS INDIVIDUAL CAPACITY.
- 22) Defendant MARY GEARY; Lisa La Penna; TAMARA DAVIS; MARYLISA HAYDEN; Jane John 1; Jane John 2 AND Jane John 3 are NURSES (CORRECTIONAL NURSES) EMPLOYED AT WENDE. THEY ARE SUED IN THEIR INDIVIDUAL CAPACITY.
- 23) Defendant Nicole Fink is THE OCCUPATIONAL THERAPIST EMPLOYED AT WENDE. SHE IS SUED IN HER INDIVIDUAL CAPACITY.

- 24) Defendant Eileen Fucina is the nurse administrator employed at Wende. She is sued in her individual capacity.
- 25) Defendant Cindy Ferron is the assistant inmate grievance program at Wende. She is sued in her individual capacity.
- 26) Defendant Jeffrey Heif is the supervising offender rehabilitative supervisor counselor employed at Wende. He is sued in his individual capacity.
- 27) Defendant Leslie Lissow is the OMH/Mental Health Social Worker II employed at Wende. She is sued in her individual capacity.
- 28) Defendant Edward Meyer is the Captain (correctional captain) at Wende. He is sued in his individual capacity AND official capacity.
- 29) Defendant Sergio Varguez is a correctional counselor / counselor employed at Wende. He is sued in his individual capacity.
- 30) Defendant Jeffrey Keenan is a L.T. employed at Wende. He is sued in his individual capacity.
- 31) Defendant John Lemke is the facility superintendent employed at Wende. He is sued in his individual and official capacities.

- 32) Defendant Kevin J. Brown is the Deputy Superintendent for Security employed at Wende he is sued in his individual AND official Capacities.
- 33) Defendant Maureen Boll is the Deputy Commissioner and Counsel employed at the N.Y.S. Department of Corrections And Community Supervision She is sued in her individual AND official Capacities.
- 34) Defendant CORL J. Koenigsmann is the Deputy Commissioner And Medical chief MEDICAL OFFICER employed at the N.Y.S. Department of Corrections And Community Supervision he is sued in his individual AND official Capacities.
- 35) Defendant Joseph F. Bellnier is the Deputy Commissioner FOR Correctional Facilities, employed at the N.Y.S. Department of Corrections And Community Supervision he is sued in his individual AND official Capacities.
- 36) Defendant Jeff McCoy is the Deputy Commissioner FOR Program Services employed at the N.Y.S. Department of Corrections AND Community Supervision he is sued in his individual AND official Capacities
- 37) Defendant Doris Ramirez-Romero is the Director of Mental Health services employed at the N.Y.S. Department of Corrections AND Community Supervision She is sued in her individual AND official Capacities

- 38) Defendant Karen Delaney is the Director of the Inmate Grievance program services employed at the New York State Department of Corrections and Community Supervision. She is sued in her individual AND official capacities.
- 39) Defendant Albert Prack is the Director of the Special Housing Unit/Inmate Disciplinary Program employed at the Department of Corrections and Community Supervision. He is sued in his individual AND official capacities.
- 40) Defendant Stephen M. Ash is the Regional Health Service Director employed at the N.Y.S. Department of Corrections and Community Supervision. He is sued individual AND official capacities.
- 41) Defendant Child Inspector general/Deputy Commissioner is employed in the N.Y.S. Department of Corrections and Community Supervision and he/she is sued individual AND official capacities.
- 42) Defendant Emmanuel Powell is the Correction Officer assigned in the Main Observation Cell employed at Wende. He is sued in his individual capacity.
- 42) Defendant Dale John is a Correction SGT/supervisor employed at Wende. He is sued in his individual capacity.
- 43) Defendants Jill Grant and Debra Manning are the Risk Management Specialists employed at in the N.Y.S. Office of Mental Health / Central N.Y. Psychiatric Center sued individuals capacities  
#19,

- 44) Defendant Maureen Bosco is the Executive Director of the Central N.Y. Psychiatric Center / OMH. And she is sued in her individual capacity.
- 45) Defendant OMH Commissioner is the Commissioner of the N.Y.S. Office of Mental Health. He or she is sued in his/her official and individual capacity.
- 46) Defendant New York State is the state of New York of the United States of America and the state is sued in his individual and official capacities.
- 47) Defendant Office of Mental Health is the New York State Office of Mental Health of the State of New York of the United States of America and is sued in this individual and official capacities.
- 48) Defendant N.Y.S. Department of Correction is the N.Y.S. DOCCS of the State of New York of the United States of America and is sued in this individual and official capacities.
- 49) Defendant Donna Reinkhardt is the Secretary of the Disciplinary Program or the Office Disciplinary and is a keyboard specialist / employed at Wende. She is sued in her official and individual capacities.
- 50) Defendant Anthony Annucci is the N.Y.S. DOCCS Acting Commissioner, employed in the DOCCS. He is sued in his official and individual capacities.

51) All the Defendants have acted and continue to act, under color of state law at all times relevant to this complaint.

"FACTS"

52) ON OR ABOUT JANUARY /08/2015 Plaintiff (ABREU) was returned to Wende C.R from a court trip and from the mental health unit (MHU) observation cell in Downstate C.F to Wende C.R

53) IN HIS ARRIVE Plaintiff/ABREU was informed that he will be subjected to the same harsh conditions of confinements the which he was before his court trip. IN WENDE C.R MHU. THE WHICH WAS CONTINUE TO BE PLACED BEHIND A DOUBLE PLEXIGLASS/CELL SHIELDS WEAR A SPECIAL SUIT, DON T HAVE ANY CONTACT FROM HE CELL WITH ANY PRISON CIVILIANS EG COUNSELORS, SOCIAL WORKERS, NURSES, CLINICIANS, PHYSICIANS, DOCTORS, ASSISTANTS, ETC. HE ONLY WILL HAVE CONTACTS FROM HIS CELL WITH PRISON UNIFORMED.

54) ABREU was in Downstate C.F MHU OBS. CELLS FROM NOVEMBER 04 2014 TO JANUARY /08/2015 FOR TWO MONTHS IN DOWNSTATE C.F PRISON DOCTORS HAS PRESCRIBED TO HIM BACK HIS TUBERCULOSIS (T.B) MEDICATIONS LIPITOL FOR HIGH CHOLESTEROL CLARITIN FOR ALLERGY, A NASAL SPRAY FOR ALLERGY TREATMENT FOR HEMORRHOIDS, A PLAN FOR A COLONOSCOPY, A PLAN FOR SEE A QUALIFIED ORTHOPEDIC SPECIALIST, A PLAN FOR RECEIVE HIS TRAYS, SV. LENS / EYEGLASSES, WITH TRAYS SV. I PRESCRIBED PROPER PAIN MEDICATIONS FOR HIS CHRONIC PAINS THAT ABREU SUFFER IN HIS HAND, LOWER BACK AND LEFT ANKLE AND A PLAN FOR A HAND SURGERY DUE TO CARPAL TUNNEL AND A PLAN FOR PHYSICAL THERAPY, THE WHICH ABREU NEED.

- 55) However once time Abreu arrived back to White C.F. Site the DR. Levitt to Discontinue all AND each medical treatments Prescribed and Recommended to Abreu in Downstate, she Discontinued all this of a form Deliberate AND Indifferent to Abreu Health care well being AND safety placed to Abreu to suffer imminent dangers.
- 56) The Defendants Killinger; Schumacher; Koenigsmann; Ash AND Lemke along with Annucci, SUPPORTED Defendant Levitt Decisions or Determinations Against me and ignored all AND each of Abreu medical complaints AND misconduct of the DR. Levitt Against Abreu. so, they were also Deliberate AND indifferent to Abreu health care well being AND safety placed him also in on imminent dangers.
- 57) From February 2015 to the present March 2015 Abreu has filed sick-call requests more to daily reporting chronic pains in Right Hand, lower back, AND left ANKLE Reporting problems for work without his ORTHOPEDIC boots Prescribed to him in Green Haven C.F. Site for Doces Doctors AND Specialists inside AND OUT side the PRISON SYSTEM, reporting back problems in need of his back supports/brace. Reporting the need of his Hand brace Prescribed also in Green Haven C.F. Site by Doces prison Doctors AND Specialists. Reporting the needed of his Prescribed eye glasses with SR. TRAYS LENS.
- 58) However Defendant Levitt Has ignored Abreu medical complaints of a form Deliberate and indifferent AND Encouraged to the medical nurses to do the same to Abreu

- 59 > Abreu has also nearing to daily reporting that he need his pain prescribed medications his Lipitor for High cholesterol his Chloritin medications for allergy, his nasal sprays his medical boots, hand braces and back braces
- 60 > Abreu continues reporting the need of a Hand surgery for his right hand, the which was referenced in Jan/22/2014 in Green Haven C.R. for Carpal Tunnel. The need for a Colonoscopy referenced also in Green Haven C.R. by doctors and specialists, but Defendants Levitt has ignored all this medical complaints of a form Deliberate and indifferent to Abreu health care well-being and safety placing to Abreu in an imminent danger
- 61 > Abreu nearing to daily has reporting also, bleeding from his noses, spitting blood bleeding and chronic pains from his anus rectal / stool, dizziness feeling weakness, blurred visions; severe stronges headache, severe stomach pains; chills keeping very sick, but Defendants Toporek along with the Defendants Killinger, Schumacher, Glory, Fucina, Ferrow, La Penna, Davis, Jones Johns 1, 2, 3, Hayden, Koenigsmann, Ask Lempke, Stirk and Brown, has openly ignored Abreu serious medical conditions and symptoms when Abreu has reporting to all they via sick-call requests, via letters and personally when several of this Defendants making rounds in the site but Plaintiff Abreu has only received an open Deliberate indifference to all his complaints verbal or in written or even presented evidence to them such as alot of blood on sheet or papers.

62) Defendants LEMPKA, Brown, Killinger, Schumacher, STIRK AND MAKER MAKE Rounds in the Site in Wends OR EVERY Sack week Once time in the week OR Some time twice in the week. From January 2015 to the present March /2015 Abreu Has AND Have REPORTING TO THOR THE Defendants LEVITT AND NURSES MISCONDUCTS AGAINST ABREU AND REPORTING MANY TIME HIS PAINS his SUFFERINGS his BLEEDING his SYMPTOMS the NEEDS OF HIS MEDICAL DEVICES but they HAS ONLY IGNORED MULTIPLE TIME Abreu COMPLAINS OF A FORM DELIBERATE AND INDIFERENT.

63) The Defendants Brown, Lempke, Killinger Schumacher Stirk And maker Don't Allow to the DR Levitt to DRIVE front Abreu cell. Don't Allow to nurses to DRIVE front Abreu cell don't matter which is the Emergency, they HAS placed Abreu under this classer of DISPRIVATIONS, the which are COMPLETELY UNCONSTITUTIONALS.

64) The Defendant Levitt making Rounds in the Site once time in the week the Facility Administration placed Abreu in the last cell of the gallery 42. The which has 17 cells. Abreu was placed in 17 cell DR Levitt AND nurses are allowed ONLY TO WALK FROM CELLS 1 TO CELLS 16. That it even if Abreu call to they ASKED FOR HELP. ASSISTANCE. EMERGENCY SICK-CALL SICK-CALL they Don't DRIVE OR WALK FRONT Abreu cell, no talking to Abreu in cell AND Don't ALLOWED TO NURSES TO DELIVERY ANY MEDICATIONS TO ABREU FRONT his cell location.

65) DR LEVITT ALSO Don't SEND TO ANY C.O'S TO VERIFY IF ABREU IS FINE OR OK AND DON'T SEND TO THEM TO ASK IF ABREU WANT OR NEED SEE THE DOCTOR  
# (14)

- 66) THE DR. LENOIR AND NURSES MAKING ROUND IN THE SITE IN WEINDE C.F. BECAUSE DOCTORS AND NURSES ARE ALLOWED TO TALK AND SPEAK WITH SITE PRISONERS FRONT THEM CELLS, AND ARE ALLOWED TO EXAMINE PRISONERS FRONT THE CELLS AND ALLOWED ALSO TO DELIVERY PRISONERS MEDICATIONS FRONT THEY CELLS.
- 67) HOWEVER ABREU IS TREATED OF A FORM VERY DIFFERENT TO OTHERS PRISONERS PLACED IN SIMILAR SITUATIONS, IN OTHER WORDS ABREU IS COMPLETELY DISCRIMINATED BY THE DEFENDANTS. AND AN OPEN DECIBERATE INDIFERENCES TO A POINT THAT NO MATTER WHICH ARE OR BE ABREU MEDICAL CONDITIONS, BE THIS SERIOUS OR NOT HE IS DENIED OF ALL PROPER AND DIGNIFIED MEDICAL CARE TO HIS MEDICAL NEEDS THAT HAS PLACING ABREU'S HEALTH CARE WELLBEING AND SAFETY IN AN IMMEDIATE DANGER.
- 68) FOR ABREU CAN GET OR OBTAIN SOME CONTACT WITH MEDICAL STAFF AND OTHER CIVILIANS HE NEED BE ESCORTED OUT OF HIS CELL BY TWO OR CORRECTIONAL OFFICERS ALONG WITH A SUPERVISOR TO A FRISK ROOM TO PUT ON A SPECIAL SUIT WITH A LOCK AND A BLKT AND KEEPS HIM COMPLETELY HANCOUFFED LIKE A DOG OR ANIMAL, AND BE HUMILIATED AND EMBARRASSMENT LIKE HE DON'T HAVE ANY CIVIL OR CONSTITUTIONAL RIGHTS FROM THE CIVILIANS.
- 69) WHEN THE CIVILIANS SAW ABREU WITH THE SPECIAL SUITS ON OR WEARING IT THE CIVILIANS AUTHOMATIC DISCRIMINATE ABREU WITH RACIAL SLUB AND OR TREAT ABREU VERY DIFFERENT, TALKING HIM WITHOUT ANY RESPECT, AND STILL A NURSE TO SPIT INSIDE OF ABREU CUP WATER PROVIDED ABREU FOR HE CAN TAKE A MEDICATION; THE NURSE SPIT IT IN FRONT OF SITE CAMERAS, IN FRONT OF SECURITY AND ABREU, LIKE ABREU IS A DOG OR ANIMAL.

- 70) The special suit the which Abreu is forced to wear any time he get out of the SHU from October 2014 to the present March 2015 has provoked that Abreu receive more tickets reports more retaliations more abuse more attacks more discriminations more humiliations more harsh SHU sentence and a form of depreciations from all civilians staff and many uniformed who see Abreu wearing it so the suit rather than help Abreu has provoked more problems to Abreu; And rather than avoid incidents has provoked more incidents between Abreu and staff.
- 71) The defendant Roberts told to medical staff and to the administration that Abreu is not refused to take his medications or receive sick call services etc, he alleged that technically Abreu only have refused to put on the suit in the frisk room due to feeling of humiliations rather than refuse services the which he interpreted that it is not the same that refuse services that Abreu only refused to put on the suit that is very different to refuse services or medications or sick call ser-
- 72) Abreu agree with defendant Roberts he don't have refused nothing in wende c-f he don't have refused any services in all neither Abreu only have refused to wear the suit or put it suit on because others prisoners in similar situations don't also forced to wear the special suit in wende c-f SHU.
- 73) Between 600 to 1000 prisoners confined between general population and SHU, Abreu is the only and unique prisoner forced to wear a special suit with a lock on it a belt and handcuffed, in all time out or cell out in one room.

74) The Defendants Lemke Brown Crowley.  
STIRK; TOPOREK; Killinger; Schumacher;  
Levit; Hill; Bosco; Prack; Bellamy;  
Ramírez-Romero; Bellnier; Koenigsmann; Lissner;  
Bocc; Keenan; Lucas; Sowa; Labedz; OMH;  
Meyer; Gregoire; Roberts; Chief Inspector  
general; Hodges; Freeman; And Mora; Docs  
Has further knowledge about all this they  
Has further knowledge of all this persons  
they has further knowledge regarding their  
conditions and his confinement, but they has  
ignored Abreu constraints (verbal and in written)  
of a form Deliberant and indifferent to  
Abreu health, care, well-being and safety.  
Placing Abreu to suffer imminent dangers.

75) Abreu has written multiple letters of  
complaints and reporting his conditions of  
confinement in wendo of SHU from July/  
2014 to March 2015 to the Defendants  
Lemke; Brown; Crowley; STIRK; TOPOREK;  
Killinger; Fucina; Prack; Bellamy; Ramírez-  
Romero; Bellnier; Koenigsmann; Ashe; Annucci;  
Chief Inspector General; Bosco; OMH Commissioner;  
Docs; Bosco and Schumacher; and McKoy  
reporting to them all and lack of the violations.

76) Abreu has written multiple grievances and  
complaints reporting the same that complaints  
are being to Defendants Lemke; STIRK; Brown;  
Mayer; Keenan; Lucas; Killinger; Fucina;  
TOPOREK; Labedz; Sowa; Gregoire; Hodges;  
Mora; Crowley; Schumacher; Freeman;  
Roberts; Levitt; Hill; Blake; Furlani; Lissner;  
and N.Y.S Docs/CORC and this authorities  
all and each of they has refused and  
failed to resolve the problems, refused to  
provide Abreu any relief, refused to conduct  
a proper and adequate investigations and also  
refused to stop stop misconducts and they own misconduct too

- 77) Abreu is placed behind plexiglasses / Double Cell Shields with lack of ventilation, with lack of air, And with lack of Heating. Abreu Has one cell shield placed at his cell door, one cell shield placed on his cell bar, And two placed behind his cell door And bars, the which are special shields that dont allow to no one to see Abreu Hair body.
- 78) Abreu is under this plexiglasses / cell shield from August 2014 to the present March 2015, with the special shield, And with the regular shield from October 2014 to the present March 2015.
- 79) Abreu has suffering asthma attack, respiratory problems problems for breathing onoxide / lack of oxygens experienced constants bleeding from his nose and mouth extreme headaches feeling weak the cell get extremelly cold mainly in night time and hotter in the morning the double plexiglasses dont allow the heating come inside of Abreu cell neither And Abreu has deprived of proper or adequate winter clothes. And Abreu have been denied long Johns top/bottom for the extremer cold conditions. And Denied optincly of all proper and adequate medical care attentions and treatments to his experienced symptoms and injurier
- 80) The plexiglasses/glasses tops/bottoms has got a lot of dusts blocked abreu vision out of his cell and provoked pains and discomfort in Abreu eyes when he try to look thought it outside of his cell. Abreu is unable can clean it from inside of his cell due to the bars and wire/mesh wire mesh placed on it doors.

- 81) Please Be advised, That Anoxia / Anorexia is when a person suffers of lack of oxygens. That can provoke serious symptoms in a person such as Bleeding, Confusions, Weakness, Headaches, Dizziness, Traumas, Psychologic injuries, Visions etc due to that the brains do not receive the proper amount of air - oxygens. Anorexia can provoke also that a person act of a form violent, against his or her will or desire.
- 82) Recently federal courts has found that one or two weeks of be placed behind a plexiglass / cell shield possibly don't violate the Constitution, but when it is placed for longer months or years front a prisoner cell. The court has found constitutional violations under the 8th Amend. The which prohibit cruel and unusual punishment, because it plexiglasses severely restricts ventilation. The which is an attrocious and significant hardship, if the plexiglasses continued for most than a week or two week because the can require to prison officials provide a reasonably safe living conditions because unsafe conditions in a prisoner cell violate the eighth Amend, too.
- 83) Abreu has be placed under this conditions behind a cell shield (double plexiglass), not one or two weeks but "seven months", and all oppose that if this court don't take actions immediately, Abreu will be under this unconstitutional and harsh conditions for one entred year or still for years in dangerous and unsafe conditions that clearly place his life, safety, care well being, health, welfare in an imminent danger.
- 84) The plexiglasses placed front Abreu cell boards and door don't have any classes of holes in it, when it is supposed to have holes in it.

85) in others situ(s) The plexiglasses regularly have small holes in the part below of the plexiglasses, for provide some ventilations / air to the prisoners, who are placed behind it.

86) in winter or situ the plexiglasses placed on Abreu cell door And bars don't have any holes in all. And Abreu cell bars/door has double cell shield not one.

87) This is very clear that doors make holes in those plexiglasses in other situ(s) because they know perfectly that it plexiglasses extremely limit air oxygen and ventilations including heating in winter time. The heating are placed outside the cell in the gallery/corridor, not inside or the cell so, in other for Abreu can get proper and adequate heating in his cell the plexiglasses will be removed

88) moreover if any civilians are allowed to talk with Abreu in side cell door OR walk near or front of Abreu cell And where he is placed in the last cell so which is the purposes of have it cell shield? also if he need to go out of his cell for any contacts with civilians And put on a special suit with a lock in it, plus be with a belt AND handcuff placed to his both wrist so, which are the purposes of continue having a double regular AND special shield placed on all Abreu door AND bars?

89) Many staff include say Abreu that dependence to Brown AND lenore orders AND Abreu conditions of confinement don't have any sense in all AND don't have any real purposes in all because that don't stop nothing in all.

- 90) All look that the only AND unique purpose of the Defendants Brown And Venekle is to harm Abreu, is to place him in unsafe cell conditions is to PROVOKE that Abreu suffer injuries, that ~~Abreu~~ kill him own self, Due to harsh and EXTREMELY bad conditions of confinement that Abreu suffer psychological damages And that Abreu, suffer torture physical AND mental.
- 91) The Defendants (all) Has further - knowledges of Abreu CRUEL AND unusual PUNISHMENTS, Has further knowledges of Abreu sufferings, of Abreu mostly letters, complaints, AND grievances reporting his unsafe AND CRUEL AND unusual PUNISHMENTS AND OF THE EXTREME HARSH AND bad conditions OF CONFINEMENTS in Wende C.F after
- 92) When Abreu say all mean all and each staff employees, civilians and uniformed mentioned in this complaint from Wende C.F TO Docs in Albany from Docs to CNYPC AND from CNYPC to DMH in Albany SO ALL AND EACH OF THEY HAS PERSONAL KNOWLEDGES OF ALL THIS AND ARE INVOLVED THEREFORE IN THE VIOLATIONS OF Abreu Rights
- 93) The special suit is completely unconstitutional violate the Constitution CLEARLY THE EX POST FACTO LAWS under ARTICLE I § 9 AND ARTICLE I § 10 OF THE U.S. CONSTITUTION AND VIOLATE THE DOUBLE JEOPARDY under THE FIFTH AMENDMENT RIGHTS.
- 94) The special suit with a lock AND belt in this attached such as if anyone (~~Abreu~~) is a Dog OR Animal violate the 1st, 8th, AND 14th Amendment Rights.

- 95) Additionally the special suit violate the State law, Does own Regulations Chapter V Chapter VI (4<sup>th</sup>) AND Does Directives 4932 AND 4933.
- 96) The regulations under NYCR, Chapters 5 AND 4 Explain clearly to the Plaintiff - men OR Discipline that an Inmate can receive while is confined in the SHU AND when he receive a disposition in the I, II, OR III disciplinary hearings
- 97) The Does Directive # 4932 Explain clearly the ONLY AND UNIQUE DISCIPLINARY that an Inmate can receive eg. Keeflock / SHU sentences, loss good time, loss commissaries loss use of phone, loss TV/Radios Visits etc. This Don't mention nothing about an inmate BE DISCIPLINED WITH BE FORCED TO WEAR A SPECIAL SUIT, LOCK, ETC.
- 98) AND ALL PUNISHMENTS OR Discipline is Limited ALL HAS A LIMIT. THE SHU Directive 4933 also Explain 'the only PUNISHMENTS OR Discipline that an Inmate can BE subjected to the SHU, LIMITED RESTRICTED DIET, LIMITED USE OF CELL SHIELD LIMITED DEPRIVATIONS ORDERS AND LIMITED RESTRAINED ORDERS, SUBJECTS TO LIMITATIONS OF USE OF AN MAXIMUM OF SEVEN (7) DAYS.
- 99) From seven (7) days above has be subject to ALL THIS DEPRIVATIONS RESTRAINED AND CELL SHIELD FOR A PERIOD ALL READY OF 7 (seven) MONTHS NOT seven Days, AND THE MONTHS CONTINUED ROLLED AND THE DISCIPLINES AND CRUEL AND UNUSUAL PUNISHMENTS Continue TO THE PRESENT OF THIS COMPLAINT APPROVE BY THE DEFENDANTS BROWN, LEPKE, ANNucci, DELNIE, MEYER, KELMAN, LUCAS & SUPERVISORS.

- 100) When Abreu is subjected to Special Cell shield / plexiglass AND special suit not listed in DOCS Regulations Chapter IV AND V, OR in DOCS Directives 4932 AND 4933, that governing the disciplinary punishments, AND the SHU DISCIPLINARY / OR PUNISHMENTS SENTENCES ORY EXTRA DISCIPLINE OR PUNISHMENTS NOT LISTED IN SUCH REGULATIONS OR DIRECTIVES IS DOUBLE JEOPARDY, AND A VIOLATION OF THE EX POST FACTO laws.
- 101) Because the extra punishments and discipline AND sentences ARE made based in the same offense, and the punishment and discipline OR sentences are increased based in the same offense.
- 102) Example, if Abreu is placed behind a regular plexiglass/cell shield, due to alleged bad conduct AND sentence in a disciplinary hearing TO an infinite year (365/one year) in the SHU, The punishment / discipline is now increased to a SPECIAL CELL SHIELD, plus TO WEAR A SPECIAL SUIT.
- 103) When the punishment of the regular cell shield is supposed to be OR ONLY seven days THE PUNISHMENT OF THE SPECIAL CELL SHIELD IS OF 30 DAYS, SO, INCREASED THE PUNISHMENT FOR THE SAME OFFENSE TO 3 TIME THE ~~Double~~ TRIPLE OF THE ORIGINAL PUNISHMENT AND THEY RENEWAL IT UNLIMITED. WHEN ALL IS SUPPOSED TO HAVE A LIMIT, SO, ABREU IS RE-SENTENCED, OR RE-DISCIPLINED, OR RE-PUNISHED OVER AND OVER FOR THE SAME OFFENSE.
- 104) IS THIS DOUBLE JEOPARDY? IS THIS A VIOLATION OF THE EX POST FACTO laws AND DUE PROCESS RIGHTS? YES IS A CLEAR VIOLATION OF THE CONSTITUTION.

- 105) UPON INFORMATION AND BELIEF THE SPECIAL SUITS AND SPECIAL CELL SHIELD/PLEXIGLASS PUNISHMENTS HAVE NOT BEEN YET BE APPROVED BY THE N.Y.S. SECRETARY OF STATE THE N.Y.S. GOVERNOR AND THE N.Y.S CONGRESS / OR BY THE LEGISLATIVE OR ASSEMBLY.
- 106) THE SPECIAL SUIT AND PLEXIGLASS GLASSES IS ALSO A DISCRIMINATORY AND A RETALIATORY PUNISHMENT, IN REPRISALS TO ABREU ALLEGED LEUD CONDUCTS.
- 107) THE SUIT AND PLEXIGLASS ARE PLACED BEFORE ANY DISCIPLINARY HEARINGS, CONDUCTED BY A HEARING OFFICER.
- 108) EXAMPLE IF A C.O OR CIVILIAN BE MALE OR FEMALE, TO ACCUSE ABREU OF LEUD CONDUCT IN REPRISALS OR IN RETALIATIONS BY PRIORS GRIEVANCES, OR COMPLAINTS OR LAWSUITS AGAINST THAT C.O OR CIVILIAN AND THEY WROTE A TICKET REPORT, AND ABREU HEARING IS PENDING AND HE CLAIM TO BE INNOCENT OF THE TICKET OR CHARGES, THE SPECIAL SUITS OR / AND PLEXIGLASS ARE PLACED ON WAY ON ABREU CELL ALONG WITH SIGN THAT CLAIM THAT HE IS AN "EXPOSER"
- 109) ABREU IS ALLEGEDLY DISCIPLINATE FOR 30 DAYS FORCED TO WEAR A SPECIAL SUIT A SIGN EXPOSER, AND A SPECIAL CELL SHIELD. NOW ABREU GO OR ATTEND TO HIS DISCIPLINARY HEARING WORKING THE SPECIAL SUIT LOCK, SIGN EXPOSER, BELT, AND HANDBUCKL,
- 110) HE PLEASED NO GUILTY TO THE CHARGES. HOWEVER HE HAS ALREADY TO BE PUNISHED WITH 30 DAYS. SO, NOW THE HEARING OFFICER OBSERVED ABREU WORKING THE SUIT AND ALL THIS AUTHOMATIIC FEEL OR FOUND THAT ABREU IS GUILTY OF ALL CHARGES. THIS IS CALLED PRE-JUDGED.

- 111) Now no matter how many Abren claim innocence no matter how many explanations he provide or give to the hearing officer no matter how many witnesses he call and no matter if the video tape show that he is not liable the hearing officer will go to found him guilty one way with a sentence disproportioned to any offenses or one to two years or six because the ~~deputy~~ Superintendent for Security and the Superintendent to found and placed him guilty already when he was sentenced to 30 days or more (Renew of the 30 days unlimited) to wear the special suit special glorified lock brit handcuffs and sign "EXPOSER" so the hearing officers don't will go against his or her own bosses.
- 112) The hearing officers in prisons are regularly assigned by the facility superintendent to conduct hearings in facility levels not by Docs in Albany. These hearing officers are regularly the civilians uniformed or own Superintendent team.
- 113) So there are no way in all that they will not put or place Abren not guilty of the alleged charges or tickets because in port the superintendent and DCS has already found Abren guilty without even he have attended to his disciplinary hearing so this is a clear and open violation of the Due Process under 14th and 5th Amend.
- 114) IN THE OUTSIDE COMMUNITY THIS IS SIMILAR IF AN INMATE TESTIFY FRONT A grand jury in a court about a criminal charges working handcuffs shackles and uniform have been ~~found~~ to be unconstitutional. AND COURTS OF APPEALS HAS DISMISSED THE IND. IN THIS ISSUE TOO.

115 > the APPellate COURTS AND COURS OF APPEALS HAS FOUND OR OBSERVED THAT FORCE ON INMATE TO TESTIFY FROM A JUDGE, OR CIVILIANS (GRAND JURY) COMPLETELY HANDCUFFED SHACKLES AND USED AN UNIFORM INCUSE IN TRIALS, IS A PREJUDGED ISSUE BY THE JUDGE OR JURORS THAT THIS INMATE IS GUILTY OF THE CHARGES OR OFFENSES. SO, DISCRIMINATE TO HIM BASED IN HIS STATUS AND CONDITIONS, ISSUES THAT THE COURT OF APPEALS HAS FOUND TO BE UNCONSTITUTIONAL, AND THROWING THE IND. COMPLETELY.

116 > THE SAME HAPPEN HERE, THE WEAR A SPECIAL SUIT LIKE ABRON IS FROM OTHER PLANET OR UNIVERSE, WITH A SPECIAL LOCK BELL AND WEARING A PAIR OF HANDCUFF ONLY TO THINKING IN THIS PICTURE MENTALLY IS VERY CLEAR FOR ON PERSON INTELLIGENT AND OPEN MIND THAT ABRON WILL GO SUFFER PREJUDGE AND DISCRIMINATIONS WITH A VERDICT OF GUILTY.

117 > ABRON HAS OBSERVED THE FACE OF SURPRISE OF THE HEARING OFFICERS AND CIVILIANS WHEN THEY OBSERVE TO ABRON WEARING THE SPECIAL SUITS. SOME OF THEM STILL MAKE COMMENTS THAT DOCS HAS TO FORCED TO HUMOR BEING TO USE THAT CLASSES OF UNHUMAN AND HUMILIATE SUIT THAT EMBARRASSMENT AND DIGNITY OF A HUMAN BEING IN PRISON.

118 > SO, THIS COURT WILL FIND ALSO, THE SUIT PLACED SIGN, EXPOSER AND SPECIAL PLEXIGLASS WITH A COLORED SIGN ADVISED TO OTHER PRISONERS STAFF AND CIVILIANS THAT THE INMATE ALLEGEDLY IS AN EXPOSER OR A ROPE, OR A FLOODED PLACED TO THAT INMATE LIFE, HEALTH, SECURITY AND WELLBEING / WELLBEING OR WELFARE / TO SUFFER PHYSICAL ATTACKS, VIOLENT ASSAULTS DISCRIMINATIONS ABUSIVE RETALIATION AND PREJUDGES IS COMPLETELY UNCONSTITUTIONAL AND THAT DOCS AND PRISON OFFICIALS HAS TO FOR TOO.

- 119) BECAUSE THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION GUARANTEES THAT NO PRISONER SHALL BE SUBJECTED TO CRUEL AND UNUSUAL PUNISHMENT. THE CONSTITUTIONAL PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHMENT NOT ONLY PROHIBITS CERTAIN KINDS OF PHYSICAL PUNISHMENT, SUCH AS TORTURE, BUT ENCOMPASSES BROAD AND IDEALISTIC OR DIGNITY, CIVILIZED STANDARDS OF HUMANITY, AND DECENCY.
- 120) THE EIGHTH AMENDMENT REQUIRES CONDUCT COMPATIBLE WITH THE EVOLVING STANDARDS THAT MARK THE PROGRESS OF A MOURNING SOCIETY. AND THAT PRISON OFFICIALS MUST NOT BE DELIBERATELY INDIFFERENT TO A PRISONER UNFAIR CONDITIONS OF CONFINEMENTS OR SUBJECTED TO CRUEL AND UNUSUAL PUNISHMENTS OR SUBJECTED TO HUMILIATIONS IN FRONT OF OTHERS.
- 121) UNDER THE EQUAL PROTECTION CLAUSE OF THE FOURTEENTH AMENDMENT, ALL PERSON IN THE UNITED STATES INCLUDING PRISONERS ARE GUARANTEED "THE EQUAL PROTECTION OF THE LAWS." THIS MEANS THAT THE STATE MAY NOT TREAT SOMEONE DIFFERENTLY OR DISCRIMINATE AGAINST HIM BECAUSE HE BELONGS TO A PARTICULAR GROUP OR CLASS OF PEOPLE.
- 123) ABREU IS TREATED DIFFERENTLY FROM OTHER PRISONERS WHO WERE IN A SIMILAR SITUATION OR SIMILAR CIRCUMSTANCES. AND ABREU IS RECEIVED UNEQUAL TREATMENTS RESULTED FROM INTENTIONAL OR PURPOSEFUL DISCRIMINATIONS IN DISCIPLINARY HEARINGS IN APPEALS; IN MEDICAL AND MENTAL HEALTH CARE, IN SICK CALL SERVICES; IN COUNSELOR, AND MENTAL HEALTH SERVICES IN DENTAL REQUEST IN DISPOSITIONS, ORDERS, DISCIPLINE; LIBRARY, LAW LIBRARY, ONE IN THE SHOWER.

- 124) The Defendants Hamilton have sexually harassed to Abreu, from January 2015 to March 2015 called to Abreu his man his Bitch his Little girl, And asked to Abreu to Suck his Dick (penis)
- 125) He Recently have touched Abreu Buttock saying it is my big butt. Abreu filed a grievance reporting C.O. Hamilton sexual misconduct, And writing a formal complaint with the Office of Investigations / Inspector General office against Defendant Hamilton.
- 126) On March 104 /2015 The Inspector general Investigator AND the Sgt. Meora to interviewed Abreu regarding sexual misconducts / Harassments by C.O Hamilton AND Defendants Skubis.
- 127) Abreu explained to both the I.G. Investigator AND to Sgt. Meora the happened to him AND where / when the sexual misconducts started along with multiple harassments.
- 128) After of the interview, Abreu was placed back in his cell in the shu, located in 4d. 17 cell in wonder.
- 129) approximately between 20 to 30 minutes the C.O Hamilton walked Abreu back cell wall where are placed the Corrections or the sink-toilet AND he started to kicking the wall of Abreu, yelling "I will go kill you bitch, fucking Bitch I catch you fucking Homo, then Abreu listen/heard odor of stronger mics and sound from the sink, like some one was doing something, then odor of cold water started to coming out from Abreu sink in a high pressure, for several minutes into Abreu cell.

- 130) Abreu Hear the voice of C.O. Hamilton said yes' bitch taken it. AFTER few minutes after he walk front Abreu cell to look if he has flooded the cell suscinated with water.
- 131) He looked on Abreu cell wet, legal papers bed sheets legal books lot all were wet, he smiled.
- 132) He walked again back behind Abreu cell and he again did the same things, with the water, putting more water into Abreu cell, and belonging properties.
- 133) On March 105/2015 Early in the morning approx between 6:30 AM to 7:30 AM while Abreu was sleeping / resting on his bed, a lot of hot water started to coming from Abreu sink, burned Abreu different part of his body, and provoked injuries.
- 134) When C.O Hamilton listen Abreu CRYING due to the pains that it provoked, he telling "yeold bitch CRY like a Bitch" and he left.
- 135) Abreu bed sheets Blakers were full of water all wet, papers books lot all was/ were also wet.
- 136) APPROX Between 15 to 30 Minuts after it Incident, the C.O. Hamilton, And C.O Szablitz were delivered / served the Breakfast Trays, when they gave Abreu trays and cups, And Abreu opened it the trays and cups were full of a lot of wet toilet paper no foods in all was inside of the trays, THEY ALSO SMILED when they saw Abreu face.  
#(29)

137> The Sgt Mora, and the L.T. Keenan were making skin rounds in Y2 gallery where Abreu is housed / confined approx 25 minutes after C.O. Hamilton denied Abreu foods, along with C.O. Szablick

138> Abreu reporting the misconduct of C.O. Hamilton AND Szablick to Sgt Mora AND L.T Keenan, and showed to them evidence that his cell was all wet, including his legal papers, books, sheets ~~bed~~ blankets etc AND Abreu showing to them his injuries due to the hot waters, OR provoked by the hot water used by C.O Hamilton, they only smiled about all this and of a form deliberate AND indifferent to Abreu conditions they continued walking.

139> Inside C.F. shower has a sink and toilet the which are made of metal it sink and toilet are together in a piece the sink has cold and hot water the hot water is extremely hot, it is so hot that Abreu cannot keep one finger under the hot water even for one or two seconds OR minutes because Abreu feel it burn his skin, OR putting it so red and feeling painfull so you can assume if it is keeping on for several minutes, hot water coming from the sink like the water coming from the shower OR rain there are not any ~~escapatory~~ and the cell is very small there are not no room for walk or run the only that Abreu can do in such situations is TRY TO cover up him self with the blanket OR mattress OR block the water with a cell plastic bucket, that is

140> C.O Hamilton know perfectly all this, he have made the same to others inmates in the past in shower.

- 141) ON 3/5/2015 IN LUNCH TIME THE C.O. HAMILTON AND C.O. SZABLICK AGAIN DID THE SAME THINGS WITH ABREU 'FOODS' THEY ONLY SERVED WET TOILET PAPER, NO FOODS IN ALL WAS INSIDE THE TRAYS, AND THEY SMILED AGAIN WHEN ABREU OPENED THE TRAYS FOR FIND ONLY WET TOILET
- 142) ON 3/5/2015 ABREU REPORT ALL THIS MISCONDUCT AND BEHAVIOR MADE BY C.O.'S HAMILTON AND SZABLICK TO TO THE SHU SGT HODGES AND L.T. LUCAS WHEN THEY WERE MAKING ROUNDS IN THE SHU IN THE AFTERNOON AFTER THE NEXT SHIFT (3:00 PM TO 11:00 PM SHIFT.)
- 143) THE SGT. HODGES GET MAD/ANGRY BECAUSE ABREU STOPPED TO TALK L.T. LUCAS, AND HE YELLED IN ABREU TOO.
- 144) BOTH L.T. LUCAS AND SGT. HODGES SAW ALL ABREU PAPERS, BED SHEETS, BLAKES ETC WET BUT THEY ALSO REAGGED AND FAILED TO PROVIDE NEW MATTERS, SHEETS, CLOTHES, AND BLAKES, OR TO EXCHANGE IT.
- 145) APPROXIMATELY BETWEEN 10 TO 17 MINUTES THAT ABREU TALK AND REPORT THE INCIDENTS WITH C.O. HAMILTON AND C.O. SZABLICK AND HIS INJURIES AND PAINS. THE C.O. ROSPLACK, KNOCK ABREU WALL AND SAY, OH YOU LIKE TALK WITH L.T.S? FUCKING YOU, SUCK MY DICK ABREU KILL YOURSELF, OR WE WILL GO KILL TO YOU. ETC.
- 146) C.O. ROSPLACK SAY AND C.O. HAMILTON, SKUBIS AND SGT. HODGES SEND YOU THIS AND ALSO OF HOT WATER STARTED TO COMING OUT FROM ABREU SINK, AND HE KEEPS IT ON FOR A LONG PERIOD OF TIME.

- 147) Abreu was yelling, stop stop stop  
Please you ARE BURNED me with Hot  
WATERs stop stop but Abreu ONLY HAD  
"SUCK MY DICK BITCH DIE" Abreu yell  
you will go to jail for this he respond  
I am ready to go to prison, Ha, Ha, Ha.  
And He Left.
- 148) This C.O. Rospeck pass all the night  
from approx 6:00 pm to 10:45 BURNED  
Abreu with Hot water over and over  
more, And more, keeping it on for a  
long time from 5 to ten (10) minutes or  
more, every time he come. He came approx  
10 time over a period of four to five  
hours only with the purpose of burn Abreu  
with Hot water.
- 149) Abreu suffering injuries on his face,  
NECK, Chest, HAMMERS ON HIS ARMS AND  
HANDS, (in different parts of his body).
- 150) Abreu asked by medical attentions ~~but~~  
He was denied this or ignored. Of a  
form Deliberate AND indifferent. And  
The Sgt Hodges Reused to make more  
rounds that night, OR come front Abreu cell.
- 151) Abreu FILED SICK-CALL REQUEST reporting  
his Injuries AND the Incident AND also  
REPORTING THAT C.O. Hamilton was DENIED  
foods.
- 152) On 3/06/2015 early in the morning  
the nurse Glory Along with C.O. Hamilton  
ARRIVED FRONT Abreu cell FOR THE SICK CALL  
BECAUSE Abreu was placed OF ALL OUTSIDE  
cell, IN A DEPRIVATION ORDER, SO HE WAS  
DEPRIVED OF ALL OUT CELL activities, SO under  
this CIRCUMSTANCES, HE DON'T wont Required wear the SUITS.

- 153) Abren showing his injuries to the Nurse Geory, but Co Harrison make sign to she to ignore Abren, or not provide nothing Abren. The nurse Geory refuse to see or check or examine Abren neck, Chest, Arms And Face alleged that she cannot see him well due to the plexiglass placed front Abren cell doors/bord:
- 154) Abren was only able to show to nurse Geory his hand; red and injured due to the hot water, she refuse send out to the facist infirmary or allow him see a doctor or send him to an outside hospital, And also refused to examine Abren in a room where she can see Abren complete body (Exmple The Sity has an examination room, but she refused to use that room.
- 155) Nurse Geory refused to provide Abren with any medical care treatments attentions in all, And Abren is not sure if she report the incident/injuries but Abren keep one copy of the sick call and filed grievances and complaints regarding all this.
- 156) per laws, directives and regulations or policy of Doctor when on inmate claims that a Co has assaulted him or received excessive use force (force), or be physically injured by a Co. or staff or civilian, the medical nurse should forced on all this to watch command captain office the Drs or Superintendent, for that immediately photos of the injuries be taken, and all inmate injuries reports be filed in records along with the photos. However nurse Geory for TRY TO COVER UP CO HARRISON AND CO'S RASHKE AND SZABLIK she refused to do, & failed to do her job And duty

- 157) Abreu has continued filed sick call reporting this injuries and pains and others medical problems and symptoms, but Abreu has been denied of sick call services and the medical nurses was are not allowed again to walk or stop front Abreu cell or near to his cell by ORDER OF Defendants Umpte Brown Meyer Lucas Keenan Hodges Meora And Roberts.
- 158) This is very clear that they are trying to cover up this incidents, therefore Abreu is facing imminent danger in this moment in cause of stay in the hands of this Defendants and medical staff
- 158) The misconducts of all this Defendants above clearly violated Abreu 1st 8th And 14th Amend Rights And Violated the Federal And State laws.
- 159) Plaintiff Abreu Religion is Jewish He receive Kosher meals/CAD the violations of his Religious meals on 3/4/2015, And 3/05/15 by C.O. Hamilton And Szablik Allowed also by Sgt Meora And L.T Keenan is a clear violations of Abreu First Amend Rights And a violation of the RFRA / RLUIPA (Standards for Religious Freedom Claims)
- 160) ON 3/3/2015 THE CO J. MAKER TRY TO PHYSICALLY assault ABREU IN A TIER III Hearing front the Defendants MR Hill, MR Skubis And C.C Sonnigo. He used excessive force in Abreu right arm ruined in back along with the belt attached to the handcuff of form completely violent, provoke pain in Abreu both Hand of wrist, And verbally abused Abreu with threats Abreu told him cleared that he is not his son or a child for he talk him in that way

- 161) C.O. MAYER CONSCIOUS THREATENING ABRU AND HARASSED HIM ALL THE TIME FROM THE MUR  
III ROOM TO THE FRISK ROOM, WHERE ABRU  
WAS PLACED FOR TAKE OUT THE SUIT. BUT  
ABRU SAW TO C.O. MAYER ACTED TOO VIOLENCE  
ABRU ASKED AND REQUIRED TO TALK WITH  
THE WATCH COMMAND, ALSO FOR REPORT THAT  
C.O. MAYER AND C.O. HARRISON HAS GO  
INSIDE OF ABRU CELL AND TOOK/TOKEN HIS  
WRITING PEN, FOR AVOID THAT ABRU CAN  
CONTINUE WRITING COMPLAINTS OR GRIMANCES  
AGAINST WIND SOME
- 162) ABRU WAS DENIED OF TALK WITH THE  
WATCH COMMAND THE SGT/SUPERVISOR HARRIS  
ARRIVED FROM THE FRISK CELL ABRU REPORTING  
HIM THE INCIDENTS, AND THE NEED OF A  
WRITING PEN EXPLAINED HIM THAT HE NEED  
TO DO HIS LEGAL WORKS.
- 163) ABRU WAS ADVISED THAT HE WILL RECEIVE  
A WRITING PEN HOWEVER ONCE TIME ABRU  
ARRIVED TO HIS CELL AND PLACED INSIDE  
OF HIS CELL HE WAS ADVISED THAT HE WILL  
RECEIVE NO PEN IN ALL THEY STATED WITH  
A MALICIOUS AND SODOMICAL SMILE, OR OR  
FROM EVIL PEOPLE
- 164) ON 3/4/2015 ABRU RECEIVED A  
FAKE MISBEHAVIOR REPORT COMPLETELY FABRICATE  
WRITTEN BY C.O. MAYER WITH CHARGES  
106.10 DIRECT ORDER AND 107.10  
INTERFERENCE. THE REPORT WAS CLEARLY  
WRITTEN IN RETALIATIONS/REPRISALS AND  
FOR ALSO TO CAN COVER UP THE INCIDENTS  
THAT C.O. MAYER STARTED NOT ABRU.
- 165) THE MISCONDUCTS OF C.O. MAYER AND C.O.  
HARRISON OF TOOK ABRU PEN INTENTIONALLY IN BAD  
FAITH FOR AVOID THAT ABRU CAN WRITE VIOLATE ALSO ABRU 1ST AMEND.  
#(35)

166) ON 3/10/2015 THE CORPSMAN MEYER CONDUCTED THE DISCIPLINARY HEARING REGARDING C.O. MEYER TICKET REPORT. THE HEARING WAS CONDUCTED WITHOUT THE ABREU PRESENCE BECAUSE C.O. MEYER ALLEGED ON 3/10/2015 THAT ABREU HAD REFUSED TO ATTEND TO HIS HEARING WHEN NONE OF THIS IS TRUE, IN NO TIME HAVE ABREU REFUSED TO ATTEND TO HIS HEARING AND IN NO TIME HAVE ABREU SIGNED A REFUSAL FORM AND IN NO TIME THE HEARING OFFICER VERIFIED WITH ABREU IF HE HAS REASONS TO ATTEND TO THE DISCIPLINARY HEARING ON 3/10/2015.

167) THE RECORD INDICATED THAT C.O. MEYER ALLEGED THAT ABREU REFUSED TO ATTEND THE HEARING. THE C.O. MEYER WAS THE SAME AUTHOR OF THE TICKET REPORT SO HE DONT ALLOW TO ABREU TO ATTEND TO THE HEARING INTENTIONALLY, AND IN BAD FAITH.

168) SO, ABREU DUE PROCESS RIGHTS AND HIS CONSTITUTIONAL RIGHTS WERE VIOLATED BY THIS DEFENDANTS, UNDER THE 1ST, 5TH, AND 14TH AMENDMENT RIGHTS

169) THE DEFENDANT WILSON HAS STARTED TO DENIAL ABREU ACCESS TO THE COURTS AND ACCESS TO THE LAW LIBRARY ALL INTENTIONALLY ALONG AND TOGETHER WITH THE DEFENDANTS CONNOLLY, CROWLEY, HILL, LEMPIKE, BOLL, ANNCCI, AND BERNIER

170) THE DEFENDANTS WILSON, CROWLEY, HILL, CONNOLLY, LEMPIKE, BOLL, ANNCCI, AND BERNIER HAS STARTED TO DENIAL LEGAL COPIES TO ABREU AND TYPING SERVICES, IN BAD FAITH.

- 171) After Abreu was returned from the court trip / MPA 065. cell from Downstate C.F. in January 2015 The Defendants Has Engaged in an Open Conspiracy And Retaliations in Denied Abreu Legal Copies And mailing Services even with Court Orders, Legal Docket Line, And Statutes of Limitations
- 172) This Violations Constitutional Has Already Two (2) Months From January 2015 To The Present March 2015.
- 173) The Defendants Wilson Connolly Crowley Hill AND Lempke Has Confiscated Four (4) Manila envelopes that Abreu sent to the law library in Wende C.F. Full of the legal documents asked And Required legal copies they has held / confiscated this legal documents already for an Unjustified Month, refused to provide Abreu legal copies mailing services, And return it back to Abreu.
- 174) Abreu has filed A lot of letters And Complaints to Connolly, Crowley, Hill, Lempke, Arrucci, Dole, BRININGER, And Lucas, asked to them what is going on with the legal copies, the mailing services or Abreu legal documents And asked to them to return immediately all Abreu legal documents, the which he is in need.
- 175) The Defendants Above has refused And failed Intentionally And in Bad faith to respond or answer to Abreu letters And Complaints. And the law library staff has did the same Abreu from February 2015 to the present March / 2015.

- 176) Abreu Has Filed many grievance Complaints regarding all the 500 but still the inmate grievance program not want to assist or help Abreu in this issue or matters alleged that the legal documents are HID /Confiscated due to investigations in what Abreu is trying to do with his legal documents
- 177) This Defendants are reading Confidential Legal Documents between Abreu THE COURTS legal organizations and Attorneys violated clearly Abreu Constitutional Rights, And Attorney Privileges.
- 178) The Defendants Are Doing all this without Abreu consent And without Abreu permits
- 179) This Defendants Has Confiscated legal Documents And paper works in the past Between January /Feb 2015 without Abreu consent And permits And Refused to the present to return back the documents to Abreu.
- 180) This Defendants Has searched Abreu legal Documents AND paper works in violation of the 1st, 4th, And 14th Amend. Rights.
- 181) The Defendants Continue with the same misconduct to the present, And this refused or forced to stop this unconstitutional violations And practices
- 182) This Defendants continue to the present interfereing /interfering with Abreu Constitutional Rights of Access to the Courts And or access to the legal system.

- 183) The Defendants Continue Denied Abreu  
Access To The Law Library Taping Legal  
Copy Machine, And Legal Assistance And  
TO Legal Suppliers, Eg Pen Writing Papers  
Carbon Papers, Envelopes And Others Forms.
- 184) UPON information AND BELIEF THE  
Defendants Has Started This Misconducts  
Against Abreu In Retaliations / Repressions  
Because Abreu Has Filed Many Grievances  
And Complaints Against Them And The  
Law Library. AND ARE TRYING TO INTERFERE  
WITH ALREADY EXISTING OPEN CASES ACTIONS  
PROCEEDINGS, OR CLAIMS.
- 185) The Defendants Misconducts IN VIOLATED  
Abreu CONSTITUTIONAL RIGHTS HAS increased  
The Defendants Connelley Crowley Hill  
Lucas, Sowa Hobbs Meek Gregg, Re  
Brown, Keenan, Schumacher, Roberts  
Freedom And Mexico Making Rules  
Regularity IN THE SHU! Abreu HAS AN  
INMATE MONTH Regularly Spoke WITH  
THEY REGARDING C.O. WILSON MISCONDUCTS THE  
SGT CONNELLY MISCONDUCT REGARDING THE  
LEGAL COPIES Legal Supplier Taping Services  
AND Abreu Legal Documents, BUT THEY  
ONLY HAVE TOLD Abreu PERSONALLY Face  
To face From Abreu self THAT THEY DON'T  
WILL GO BE INVOLVED BETWEEN THE PROBLEMS  
OF SGT CONNELLY AND C.O. WILSON AGAINST  
Abreu AND THAT THEY DON'T WILL GO TO  
INTERFERE IN THE DECISIONS OR DETERMINATIONS  
OF SGT CONNELLY AND C.O. WILSON, AGAINST Abreu  
NEITHER, THE WHICH SHOW CLEARLY THE CONSPIRATIONS.
- 186) The INMATE grievance program (IGRC members)  
influenced by the administration HAS DETERMINED  
SIMILAR DECISIONS About all this along with the  
Facility Superintendent.

- 187) The Central Office Authorities from the Docs such as Defendants Faraci, Boll, Deinhardt, Moyer. Inspector general office Counsel's office etc has been silenced. About all that each of this misconduct from Law Library staff eg C.O. Wilson Sgt Connolly the Facility Administration eg Sgt Connelly Dir. Brown Capt. Meyer DSP Crowley DSA Schumacher. ADSS Hill L.T. Lucas, L.T. Sowa, And other superintendents against Abreu.
- 188) Abreu has written to Central Office Authorities in Docs Albany. About more of 10 letters of complaints reporting all this misconduct in whole C.R./SAC against Abreu, and Abreu has also written several time to the Docs Director Liborion Service for two entire months but they has intentionally and in bad faith refused to respond or answer to Abreu letters of complaint.
- 189) The Correction Law 112 Direct and mandated to the Docs Commissioner and his administrative teams to investigate and respond to prisoners' complaints and letters of problems and incidents happened in facility levels. And not only that they has further knowledge that Abreu has treated or tried from all the resource of resolve the problems in the facility level before to write to them to Albany, but this don't has worked in all showing clearly the open conspiracy and deliberate indifference from this defendants to Abreu complaints rights and laws of the United States and New York state. And of his rights of access to the courts.
- 190) The Docs Directive #0700, mandate to they also investigate complaints.  
# (40)

- 191) So, The Defendants are openly Reased to follow the laws, the Constitution and their own Directors OR Policy.
- 192) Abreu Has been injured in his claims. Abreu Has for example that file 7 (Seven) ARTICLE 78 Petitions AND Exhibits Attached to this ART. 78 Petitions, the which also are called Supporting Documents.
- 193) Due to the Defendants misconduct in Denial Abreu legal copies AND holding AND Consecrated Arbitrariness AND Corroborous legal Documents Abreu missed the Statute of Limitations for he can file his Article 78 challenged the misbehavior Reports, OR the Disciplinary Hearing.
- 194) Abreu Has missed also the Statutes of Limitations in ARTICLE 78 Petition for challenge the conditions or his Commissions in Wende C.R. AND from CORC decisions from Albany.
- 195) Abreu Has missed also other several Statutes of Limitations for he can file Court of Claims in the Court of Claims regarding or about loss properties missing belonging PERSONAL PROPERTIES Damages or belonging personal Properties AND others claims regarding his conditions of confinement in Wende C.R. like. I.G MEDICAL NEGLIGENCE, Malpractices AND mental Health negligence assault, batteries etc.
- 196) Abreu Has ~~and~~ continue explained to the Defendants of the Statutes of Limitations of the need of copies, OR the need of an Exhibits AND SUPPORTING DOCUMENTS to his PETITIONS AND CLAIMS, but they intentionally have ignored Abreu

- 197) Abreu also has explained numerous times AND showed to the Defendants evidences AND proves that he need also copies FOR his habeas corpus petitions AND THIS EXHIBITS AND SUPPORTING DOCUMENTS THAT HE NEED TO ATTACH TO THE PETITIONS THE WHICH ARE ORIGINAL DOCUMENTS, THE WHICH Abreu cannot to attach IT ORIGINAL DOCUMENTS, ONLY COPIES, HE WILL TO ATTACH.
- 198) Abreu have explained to the Defendants verbally AND in WRITTEN, THAT THE COURTS FROM SUPREME COURT TO FEDERAL COURTS AND CLERK AND JUDGES FROM COURTS THAT HE CANNOT TO ATTACH ORIGINAL DOCUMENTS TO HIS PLEADING OR COMPLAINTS / PETITIONS CLAIMS etc because THE COURTS / THEY DON'T WILL GO TO RETURN IT BACK TO HIM AND WILL NOT PROVIDE HIM FREE COPIES OF THIS ORIGINAL DOCUMENTS, THAT HE CAN ONLY ATTACH ENCLOSE OR SEND "COPIES", NOT ORIGINAL DOCUMENTS.
- 199) THE COURTS HAS ALSO EXPLAINED CLEARLY TO MR Abreu THAT IT IS HIS RESPONSIBILITY TO KEEP ONE COPY FOR HIS RECORDS OR / FROM ALL PETITIONS EXHIBITS CLAIMS COMPLAINTS LETTERS DOCUMENTS SUPPORTING PAPERS etc THAT HE SUBMIT TO THE COURTS.
- 200) However THE DEFENDANTS REFUSED TO ACCEPT OR CONSIDER OR FOLLOW OR RESPECT THIS COURT ORDERS OR EXPLANATION OF / FROM COURTS JUDGES CLERKS OF COURTS AND COURT RULES even Plaintiff Abreu SHOW COPIES OF THE LETTERS IN THE PAST TO THIS DEFENDANTS AND even Abreu ATTACHED COPIES OF IT COURT ORDERS OR LETTERS FROM COURTS IN HIS GRIEVANCE COMPLAINTS. However THE DEFENDANTS CONTINUE TO THE PRESENT WITH THIS MISCONDUCTS

- 201) Recently the Court of Claims in Albany has ordered Abren and to the Attorney General office, to exchange documents ~~such~~ others and to start discovery in four (4) plaintiff claims.
- 202) The Defendants Crowley, Wilson Hill Connally and Lennox has refused to grant Abren request for copies of the documents Powers medical records Mental Health records grievances letters etc that Abren has that sent to the Attorney General office even they reading and saw with their own eyes the court orders.
- 203) Abren recently also received two (2) court orders from the Seneca Supreme Court and Cayuga Supreme Court ordered Abren to serve copies of the complaint exhibits and all supporting documents upon the Defendants and upon the Attorney General office.
- 204) However the same Defendants above refused to provide Abren with the legal copies of the complaints exhibits and supporting documents even Abren showing to them the court orders in their own in the状 even Abren sending letters to them explained all this and the deadlines but still they refused provide Abren with the necessary copies and failed or refused to allow that it goes out via certified mail return receipt such as the court has also ordered.
- 205) Abren has also received two (2) Article 78 petitions, exhibits and supporting papers, along with a court order from Albany Supreme Court ordered Abren the service of all this documents.

- 206) The ORDER TO SHOW CAUSE ORDERED THAT ABRON SERVE ALL THIS PETITIONS AND DOCUMENTS UPON EACH DEFENDANT AND UPON THE ATTORNEY GENERAL OFFICE., but the defendants HAS IGNORED THE COURT ORDERS ignored ABRON REQUEST FOR LEGAL COPIES AND REQUIREMENTS RETURNED ALL THIS TO ABRON BACK WITHOUT ANY EXPLANATION IN ALL WITHOUT ANY REASONS FOR THE DENIAL, OR DISAPPROVAL
- 207) The ARTICLE 78 PETITIONS ARE ABOUT ABRON CHALLENGED HIS POST RELEASE SUPERVISION ALLEGED VIOLATIONS AND A DMR III HEARING ALONG WITH A GRIEVANCE COMPLAINT CHALLENGED STAFF MISCONDUCTS
- 208) THE DEFENDANTS HAS STARTED ALSO TO KEEP HID AND CONFISCATED THE ORIGINAL COURT ORDERS THAT ABRON SENT TO THEM FOR REVIEW AND VERIFICATIONS OF THE COURT ORDERS. REFUSED TO PROVIDE IT ORDER / COURT ORDER BACK TO ABRON, ABRON IS FORCED TO SENT TO THEM THE ORIGINAL COURT ORDERS BECAUSE THEY ARE REFUSED TO PROVIDE COPIES TO ABRON.
- 209) ABRON HAS SENDING AND FORWARDED COURT ORDERS FROM THE THIRD DEPARTMENT AND FOURTH DEPARTMENT APPELLATE DIVISIONS ORDERED ABRON TO FILE WITH THE COURT, TYPED WRITTEN BRIEFS, PLUS THE NECESSARY COPIES OF THE BRIEFS WITH ONE COPY OF THE BRIEFS FORWARDED UPON THE ATTORNEY GENERAL OFFICE. HOWEVER THE DEFENDANTS HAS REFUSED TO PROVIDE ABRON THE TYPED WRITTEN BRIEFS AND THE LEGAL COPIES ALSO.
- 210) EVEN THE COURT RULES AND CPLR 1102 (B) REQUIRE PER LAW AND STATUTES THE TYPED WRITTEN BRIEFS IN APPEALS THE DEFENDANTS REFUSED TO FOLLOW ALL THIS.

211) > Abreu, Has written multiply time over  
And over to the Docs Commissioner  
Annucci Deputy Commissioner And Counselor  
M.S. Bell To the Counsel Office To the  
Deputy Commissioner for Correctional Services  
State wide MR Bellmiller To the Docs  
Law Library Coordinator, explained all  
this and sending the court orders to  
they attached to Abreu Complaints And  
Letters, but they simply has ignored Abreu  
And his multiply complaints of a form  
Deliberate And indifference, to Abreu U.S./  
N.Y Constitutional Rights or Access to Courts  
And of Access to the legal system And of  
Access to the law library services.

212) Recently the Defendants in word of  
Has started to telling Abreu for  
first time that the Reasons why they  
are Denied Abreu Legal copies And  
To Mail Out his legal documents Are  
because Has a Debt to the state of  
\$1,000 Dollars in Alleged Legal copies  
And a Debt to the state of ~~\$500~~ Dollars  
in Legal postage, in Advances request  
for Legal copies And legal postage  
And that Abreu don't have no money in  
his account for to pay all this.

213) So now the Defendants admit that  
they are intentionally Denied Abreu access  
to the courts now they admit that  
they are interfering with Abreu access  
to the courts And Law library, now they  
Admit that they are doing so simply because  
Abreu is a poor person with zero money  
in his account, for can not legal copies And  
Legal postage, now they admit that they are  
Openly Discriminated Abreu for the simply  
mode that he is a poor person in PRISON.

214) However there are other problems why  
Has they hold, And Considered Abren  
Court orders? Why they has hold, And  
Considered Abren legal documents for  
month(s) waiting still the Statute of Limitations  
or Dead Line EXPIRED? Why they refused  
to respond or answer or reply in written  
the Reasons for the Denial of legal copies?  
And why they to the present continue on  
a form arbitrary capricious, And an Abuse  
of Discretion or of a form intentional  
And in bad faith interfering with Abren  
Court orders from court with state law?  
With the Constitutions? With the Court Rules?  
and with Abren Right of Access to Courts and  
law library services?

215) The Defendants Has further knowledge  
that the Attorney General office of the  
State of New York is who represent the  
interest of the State and Doce and prisons  
and the staff employes, civilians and  
uniformed, who also represent to them in  
the courts' lawsuits claims and petitions  
filing by an inmate(s), against them. So  
why they continue Denied copies of documents  
petitions exhibits complaints claims etc that  
Abren NEED mandatory for Court orders  
Court Rules, And N.Y Statute or law  
to serve upon the Attorney General office  
such copies, not only when the process of  
litigation start but also in all summision  
of pleading motions documents, papers, etc  
that Abren sent to the courts need to serve  
all all this upon the Attorney General office  
including in Discovery process, OR summary judgments.

216) So this is hard to believe that all this is based  
only in debts to the state, this is based in a  
clear and open Retaliations and intentional interference

217) These are prisoners in the state prison  
that has a debt of not only 1,000  
dollars, but still of 10,000 dollars or  
more in legal copies AND legal postage  
AND still the state don't interfere with  
access to the courts in all, and cannot  
provide the legal copies AND legal  
postage. Eg. Inmates such as mitchell J.  
Kolwasinski # 82 A-4795 And inmates,  
such as eg. ~~MR~~ Injah tasori, etc.

218) So the excuses of the defendants don't  
have any sense OR merits in all, and  
are without merits. because 1,000 Dollars  
Bailey is nothing. Abreu will go to put  
a good example in jail Abreu has a  
debt of \$ 9,500.00 Dollars to the state  
between legal copies postage court fees  
etc. Plaintiff receive a check of 12,000  
Dollars from a court settlement Abreu  
pay completely the \$ 9,500.00 Dollars  
in copies, postage AND fees to the state  
docs, AND to the courts.

219) Recently the federal court judge from  
the U.S. District Court Southern District  
Hon. Paul G. Garberphel Case # 11CIV-5204  
Abreu v. City of New York trial court ORDER  
of March / 2015. He gave to Abreu credit  
that Abreu has pay \$ 9,000.00 TO THE STATE  
AND DOCS AND COURTS in copies fees AND postage.  
He denied defendants motions TO dismiss the case  
AND scheduled the case for a hearing for  
possible settlements OR continue the Discovery  
process AND GO TO TRIAL.

220) So this is very clear Abreu always  
pay ~~his~~ debts to state docs AND courts.  
So, there is no need of waste of AND  
docs AND the defendants in denied Abreu legal copies.

- 221) Moreover Abreu believe that the law library has increased the amount of money alleged in DEBT by Abreu. They has denied Abreu to show copies of all and each of the Advance Request forms that he alleged has filled and signed authorized the Advance for legal copies. for never to be collected back when Abreu receive any money in his inmate account.
- 222) The ONLY way that prison officials can collect any money in legal copies is if Abreu sign and fill on Advance request form for legal copies authorized to prison officials/law library to collect such money and deduct the amount in any future incoming, without this authorize they cannot to do so.
- 223) However Defendants has refused to allow Abreu receive or review such Advance request forms COPIES with his signed attached to it. They only alleged it is what the computers and records say. Abreu to disagree because computers and records the which don't have only of Abreu signatures, can be easily manipulated AND/OR OVERSTATED. The issue here is THAT they need to show copies of all and each Advance request forms with Abreu signature approve the amount of it for legal copies in each request. If the defendant is unable to show that copies of the Advance Request forms with Abreu signature then the amount in the computer and records is completely invalid AND OVERSTATED. by the defendant maliciously, in bad faith AND intentionally against Abreu about the alleged \$1,000 Dollars ONLY in legal copies that they alleged that Abreu DEBT TO THE STATE #148,

224) The Defendants are also interfering with 14 Pending Actions that Abreu has pending in the N.Y.S. Supreme Court Third Department Appellate Division, And Other Pending Cases Actions Claims And Petitions/ Proceedings that Abreu has active And open in other courts.

225) The Defendants has further knowledge about all this because Abreu has provided to them the lists of active cases And/ OR open cases the Counsel office / has also the computers and records And Information regarding those open And active cases claims actions ~~proceedings~~ Complaints And petitions that Abreu has in courts in civil and criminal courts.

226) So, Docs, under C.F. law library and this Defendants cannot to allege or excuse that they don't has any knowledge of such cases that Abreu is litigated. And those that Abreu need to litigate And those that the Attorney General who represent to the Defendants has knowledge also of all this.

227) All and each past, present and future cases that are dismissed or that are dismissed OR that the statute of limitations And those the which does live has expired the Defendants will be liable of all this. Each and all case that Abreu has mentioned And not mentioned has merits And are good And MERITORIOUS. Claims, including those claims in courts or those that Abreu is trying to file for to release from prison or reverse those tickets for to release from the SHU to general population, has also merits AND good cases.

228) The First Amendment guarantees the right "to petition the government for a redress of grievances". PRISONERS have a constitutional Right to file Petitions with the courts including Appeals post-convictions appeals habeas corpus petitions to attack their sentences directly or collateral, and in order to challenge their conditions of confinement, and file Civil Rights lawsuits.

229) The Supreme Court has held that the right of access to courts is a very important right since it theoretically protects all PRISONER RIGHTS. And that this right extends to all categories of prisoners and it is supposed to be adequate, effective and meaningful.

230) The Supreme Court held in In Bounds v. Smith that prison authorities have an affirmative obligation to "assist" inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in the laws. It has also held that intelligent inmates must be provided at "state expense" with paper and pen to draft legal documents with notarial services to authenticate them, and with stamps to mail them.

231) Many OTHER COURTS in this DISTRICT, AND OTHER DISTRICT COURTS HAS ALSO HELD THAT PRISON OFFICIALS CANNOT OBSTRUCT CLAIMS OR LAWSUITS, CANNOT TO RETALIATE AGAINST PRISONERS WHO FILE THEM; CANNOT TO FRUSTRATE OR INPEDE LAWSUIT CLAIMS OR PETITIONS FILED OR ALREADY FILED IN THE COURTS, AND HOLD THAT THE RIGHTS TO COURT ACCESS DOES NOT STOP WHEN A PRISONER FILE A COMPLAINT, CLAIM, OR PETITION.

232) This Courts And Divisions Has also held that State, Government And PRISON OFFICIALS ARE PROHIBITED FROM INTERFERING WITH PEOPLE'S AND /OR PRISONERS EFFORTS TO USE THE COURTS; that PRISONER has a Right To Be Free From INTERFERENCE WITH COURT ACCESS

233) AND THAT PRISON OFFICIALS MAY NOT RETALIATE AGAINST PRISONERS FOR USING THE COURTS OR TRYING TO DO SO. because THE PRISONERS HAS A 'RIGHT' TO BE FROM RETALIATION OR REPRISALS FOR USING THE COURT SYSTEM OR THE GRIEVANCE SYSTEM. THE SUPREME COURT HAS EXPLAINED 'THE REASON' WHY SUCH RETALIATION OFFENDS THE CONSTITUTION IS THAT IT THREATENS TO INHIBIT EXERCISE OF THE PROTECTED RIGHT... RETALIATION IS THUS AKIN TO AN UNCONSTITUTIONAL CONDITION DEMONSTRATED FOR THE RECEIPT OF A GOVERNMENT- PROVIDED BENEFIT.

234) ADDITIONALLY IT IS INDISPURABLE THAT INMATES MUST BE PROVIDED AT STATE EXPENSE WITH FREE POSTAGE, LEGAL COPIES, AND LEGAL MATERIALS SUCH AS 'PAPERS AND PEN TOO. AND PRISON OFFICIALS MUST PROVIDE A MEANS FOR PRISONERS TO MAKE SUFFICIENT LEGAL COPIES OF PAPERS TO COMPLY WITH COURT RULES, COURT ORDERS, AND STATUTES SEE EG COLLINS V. GOOD 938 F.SUPP. 28 399, 417 (S.D.N.Y. 2006); CANELL V. MULTNOMAH COUNTY 141 F.SUPP. 28 1046 1056 (D.O.R. 2001); HARRINGTON V. HOLSHOULER, 741, F.2d. 66, 69, (4TH CIR 1984)

235) AND THAT IF COURT RULES OR STATUTES REQUIRE APPALS/BRIFES OR DOCUMENTS TO BE TYPEWRITTEN THE DENIAL OF SUCH SERVICES BY PRISON OFFICIALS TO TYPEWRITER SERVICES WOULD DENY COURT ACCESS SEE EG JOHNSON V. LEHMAN, 609 A.2d 880, 883 (P.A. CMWLT. 1992).

- 236) For last about this claim or law library  
And Defendants misconduct regarding access  
To the courts is that the Defendants has  
Alleged that 'only court orders that pass  
The 100 days. That don't will go to provide  
Abreu legal copies OR legal services,  
and they don't will go to mail it to the  
courts, or only Defendants, or Attorney  
General office
- 237) This order written by the Defendants  
are completely arbitrary, Corridious, an abuse  
of Discretions. And a clear Proofs And  
evidence for this court that the Defendants  
are interfering with Abreu access to courts  
and interfering, with open And active  
Cases.
- 238) First, Courts don't provide court orders  
like that judges are very busy in courts  
with 100's of other cases that held  
or hear. So, ask to a Judge or Judges  
for multiple court orders; still the  
Defendants feel satisfied is arbitrary  
and Corridious., And without any sense.
- 239) Some courts and Appellate divisions has  
further knowledge of the problems that Abreu  
has faced for get legal copies OR transcription  
BRIEFS that they has stopped to put in  
this court orders and legal deadlines, even  
if this violated their own court rules, OR  
STATUTES, COURTS HAS POWER TO waive rules  
and full statutes of limitations for the  
Submissions of documents if PRISONERS show  
a good causes the which Abreu has showed  
also the judge 'has further knowledge that  
Abreu has multiply other open cases, that Abreu  
also need to litigate, so when they don't provide to  
Abreu is deadlines this is a basis for for Abreu

- 240) Because the court order without a deadline attached it, let Abren the open door or file the briefs, or papers etc, when he have the time to do so.
- 241) However the Defendants don't understand this and are acted like the lawyers or Attorneys or all the Defendants were wish, when ONLY THE ATTORNEY GENERAL OFFICE can to do so pursuant to the correction law § 24' not the Defendants they cannot to attack only other requirements that the court orders not has attached to it orders or that the Judge not has ordered neither
- 242) Example if the court ordered to Abren to serve the petition or complaint or claim upon each Defendants or Respondents and upon ATTORNEY GENERAL OFFICE and don't require only deadline for to do so why the Defendants (PRISON OFFICIALS) will go to attack to it order a deadline?
- 243) Other example if Abren need to file 14 Appellant's Brief in the Appellate Division but they in considerations don't place a dead line in this orders, for provide Abren all the time necessary for he file the 14 to when he want to do so so why the PRISON OFFICIALS need or want to attack a deadline to it and allege oh that ORDER IS OLD IT HAS PASSED 120 DAYS ANYBODY YOU NOT WILL GET COPIES OR FILE SERVICES OR Legal PAPERS FOR SEND IN TO THE COURTS when the court don't have alleged only deadline in the orders. Moreover this are DEFENDANT'S OR DEFENDANTS' that the ATTORNEY GENERAL OFFICE need bring to the court/Judge, not the PRISON OFFICIALS that also are not Defendants example in that particular case.

244) So, this is very clear that the Defendants in this case are intentionally interfering with Abreu access to the cases acted without or with any jurisdiction in attach extra requirements to the court orders signed by judges when they also has check in the legal computer that it cases continue open and arrives in the cases and that the courts don't have dismissed it, due to alleged 120 days.

245) Federal cases claimers and now still practice 78 motions take years, and years for litigant still a final decision, order, or judgment example Abreu has a federal case in the Southern District Court open from the year 2004 (11 years already) the case is Abreu v nichols the which Abreu and Defendants in Abreu v nichols continue litigated. so, thinking of Abreu asked to the court in Nichols, for a court order every time he need send legal documents or copies upon the Attorney General, for he can litigate his case for 11 years? if Abreu do so the Judge does will go have only time for other cases, rather than for Abreu only case. .

246) Abreu believe that he is in need only to show to prior officials that the case or action or proceeding OR claim continue open or active the which he continue litigate, and that he is in need of send always a copy upon Attorney General office and keep one copy for his own records of all documents papers, briefs, motions let that he submit to the courts, not that he need an update court order every time he is in need or send to the courts and Attorney General office, a motions, pleadings Amended Complaints, briefs, documents papers; discovery, or others informations, moreover even with a court orders, they wont to desire & determine what Abreu can send or not send OR copies that they want only copies #154)

247) The Defendants wont only provide Abren copies of ONLY OF THE DOCUMENTS THAT THEY WONT NOT THE DOCUMENTS THAN THE COURT HAS ORDERED ABREN SERVE IN EACH DEFENDANTS / RESPONSE EXCEPT IF ABREN FILE AN ORDER #78 AND ATTACHED 100 PAGES OR EXHIBITS EXCEPT PRISONERS OPPOSES CORE DECISIONS SUPERINTENDENT DETERMINATIONS I.GRC DECISIONS THE LETTERS PROVIDED FROM THE RESPONDENTS AND ALL OTHER DOCUMENTS THAT SUPPORT THE PETITION. THE COURT MAKE AN ORDER TO SHOW CAUSE ORDERED THAT ABREN SHALL SERVE THE ORDER TO SHOW CAUSE THE PETITION AND ALL ATTACHED PAGES EXHIBITING AND SUPPORTING DOCUMENTS UPON EACH RESPONDENT / AND UPON A.G. OFFICE

248) The Defendants even has the court ORDER, THEY WONT ONLY PROVIDE ABREN COPIES / OR THE ORDER OF SHOW CAUSE, AND MAYBE THE PETITION, BUT NOT OR THE 100 EXHIBITS, AND SUPPORTING DOCUMENTS BECAUSE THE COURT DONT SPECIFIED WHICH ARE THE EXHIBITS AND SUPPORTING DOCUMENTS OR BECAUSE THE COURT DONT SPECIFIC THAT THERE WERE 100 PAGES OR EXHIBITS AND WHICH ARE THE PAGES THAT THE COURT NEED TO BE COPIED FROM IT 100 PAGES.

249) Thinking of a Judge so, But such as they ARE, IN MENTIONED IN AN ORDER, PAGE BY PAGE OF ANY EXHIBITS AND SUPPORTING DOCUMENTS AND WHAT THEY ARE, PRISONERS, LETTERS, DECISIONS ETC. Now Abren is unable can serve the exhibits UPON RESPONDENT OR A.G. AND ONLY FOR THIS SMALL FAUCURED THE COURT DENIED THE PETITION ALL THIS HAS HAPPENED ABREN IN THE PAST even WITH MERITORIOUS CAUSE OF ACTION AND good claims, because courts are very strict in their orders, even Abren explained to them the problem. So, Abren is denied access to court by defendants.

250) THIS COURT WILL ALSO NOTE THAT IN NEW YORK CITY PRISONS AND FACILITIES SUCH AS RIKERS ISLAND CORRECTIONAL FACILITY WHERE PASS EVERY YEARS 1,000<sup>+</sup> AND 1,000<sup>+</sup> OF PRISONERS ALL THE LEGAL COPIES FROM THE LAW LIBRARY ARE COMPLETLY FREE OR COST FOR INDIGENT PERSONS / PRISONERS BECAUSE THEY DON'T FIND ANY DIFFERENCE IN PROVIDED FREE PAPERS, PAPER AND CARBON PAPERS AND THEN REASSED TO PROVIDE LEGAL COPIES? EXCEPT THEY BELIEVE THAT THEY LOSS LESS MONEY IN PROVIDED LEGAL COPIES FREE OR COPIES THAT PROVIDED 100<sup>+</sup> OR 1,000<sup>+</sup> OR CARBON PAPERS WHERE THE CARBON PAPERS ARE MORE EXPENSIVE THAN THE OWN INKS USED BY THE PHOTOCOPY MACHINES, SO, THEY ALLOW TO PRISONER TO DESIRE CARBON PAPERS OR LEGAL COPIES? THE WHICH WILL BE FREE OR COST ANY WAY.

251) IN DOWNTOWN CORR. FACILITY, THE WHICH IS A STATE PRISON UNDER DOCCS. THEY PROVIDE UNLIMITED PASSES FOR LEGAL MAIL AND PERSONAL MAIL, FREE OR COST TO ALL INMATES, WHILE AN INMATE IS IN DOWNTOWN C.R., ALL AND EACH LEGAL OR PERSONAL CORRESPONDENCES IS FREE OR COST, NO MATTER IF THE INMATE IS THERE ONE WEEK, ONE MONTH, SIX MONTH OR ONE YEAR OR YEARS, ALL PASSES ARE FREE FOR INMATES.

252) THE MORE INTERESTING OF ALL TWO THAT TWO INCLUDE PERSONAL CORRESPONDENCE, THE INMATE DON'T NEED TO SIGN ANY ADVANCE REQUEST FORMS OR DISBURSEMENT AND NO MATTER HOW MUCH MONEY HE HAVE IN THEIR ACCOUNT THE INMATE NEED ONLY PLACE/PUT THE MAIL IN THE MAIL BOX AND THAT IT, THE SERVICE INCLUDE TO SEND INMATES SO EVEN INMATE WHO INDIGENTS GET THIS FREE PASSES/SERVICES, IN DOWNTOWN 1,000<sup>+</sup> OF 1,000<sup>+</sup> OF INMATES PASS EVERY EACH YEAR FOR DOWNTOWN.

253) So, this is very clear with the defendants don't want to Denial access to the courts to inmates they can do so. And when they don't want to limit to prisoners contact with them family loved one, OR with access to the outside world's they can do so if they want to do so, all that free postage in Downstate C.F. is Paying by the state not by Docs or Downstate C.F. administration, and all that free copies provided to prisoners upon request for legal copies and access to the courts are Paying by the New York City, not by Riker Island C.F.

254) The same apply to Wende C.F. all this advance request for legal copies and legal postage are pay by the state not by Wende C.F. or by Albany. However the copies and postage for legal court really are not free in all inmates need to pay for all the copies and legal postage any way. Every time they receive any money into their count in any state prison, state wide so, there really is nothing free. in state expensive we pay for all this. any way. our family pay for all this also. And when we get money in our lawsuits or settlements we need still to pay all the copies and postage, so what is free here?

255) So, there are not need of defendants in Wende C.F. or Docs/Albany, Denial or continue denied to allow legal copies or legal postage or denied access to courts or interfering with court orders or court rules. Some courts and some defendant's divisions or court or places still don't accept carbon paper copies. So, even if they accept e.g. a brief written in Handwritten, they will not accept the copies made in carbon papers.

256) However The Defendants even has further knowledge of all this, they still denied Abren the proper amount of copies or not copies in all, trying to force to Abren make by copier Model in carbon papers that still the court don't accept.

257) also, there are deadlines that is complet impossible for Abren to rewrite a petition or a complaint of 50 or 100 pages, that he is in need to serve in 25 or 50 defendants or respondents so, when the Defendants Denial comes under that circumstances is clearly denied access also to the courts because the court will to dismiss the complaint or petition. And even extended the time, this will be impossible for Abren to do so, because there are enough medical records that show that Abren has serious problems in his Right Hand, nearing to a disability, he receive surgery to his Right Hand, he need other surgery to his Right Hand due and to carpal tunnel plus he is in need a hand brace, and physical therapy too, (Defendants has knowledge of all this)

258) So, Abren disabilities don't allow him to do many copies written in Hand written such as he wish to do, if he will do so but he is unable can to do so due to his Hand Disabilities, and problems still for write, ~~well~~ without a Hand brace.

259) So, Defendants deliberate indifference to Abren medical conditions, Disabilities and access to the courts is a clear proofs and evidences of violations of his 1st, 8th, and 14th Amend Rights plus a violations of the ADA and Rehabilitation Act, and others rights & laws.

- 260) ON NOVEMBER 09, 2014 ABREU WAS TRANSPORTED TO DOWNSIDE C.F. BY THE SGT. FREEMAN AND TWO (2) ESCORT OFFICERS. THIS DEFENDANT FAIL AND REFUSE TO PROVIDE ABREU WITH HIS KOSHER MEALS. VIOLATE ABREU FIRST AMEND RIGHTS, AND RRFA AND RLUIPA.
- 261) DEFENDANT FREEMAN HAS FURTHER - KNOWLEDGE THAT ABREU RECEIVE KOSHER MEAL / RELIGIOUS MEALS BECAUSE THE REGULATORS WORK IN SHIN, AND ABREU ALSO ASKED HIM PERSONALLY ABOUT HIS KOSHER MEAL, BUT HE IGNORED ABREU REQUEST AND COMPLAINT, OR A FORM DECIBERATE AND INDIFFERENT ABREU RIGHTS, AND ABREU RELIGIOUS BELIEF.
- 262) DEFENDANT HILL IS THE RESPONSIBLE OF THE PRISON Rape ELIMINATION ACT (PREA) COMPLIANCE IN WENDE. BUT HE INTENTIONALLY REFUSE AND FAIL TO COMPLI. WITH THIS STANDARD., COVERED UP SEVERE MISCONDUCTS.
- 263) ABREU HAS REPORTED PERSONALLY AND IN WRITING TO DEFENDANT HILL, THE SEXUAL HARASSMENT THAT HE HAVE SUFFERED IN THE HANDS OF C.O. MAYER, C.O. S. HAMILTON, C.O. RASPLICK AND COUNSELOR MR SKUBIS. HOWEVER HE PERSONALLY HAVE INVESTIGATED THIS INCIDENTS, HE HAVE REFUSED AND FAILED TO CALL TO LAW ENFORCEMENTS AND TO REPORT TO THE LAW ENFORCEMENTS SUCH AS TO THE INSPECTOR GENERAL OFFICE / OFFICE OF INVESTIGATIONS OR BCE / STATE POLICE OR CRIM. COUNTY DISTRICT ATTORNEY, THIS SEVERE MISCONDUCTS. RATHER HE HAVE COVERED ALL AND EACH OF THE SEXUAL HARASSMENTS. EVEN HE LEARNED THIS VIOLATIONS THROUGH THE GRIEVANCE PROGRAM IN WENDE, HE COVERED ALL THIS.

- 264) Defendant Hill Has Placed Abreu Safety, Health, AND well being in an imminent danger. AND He Have failed AND refused to remove to this staff from the same, OR recommend to do so. even He personally observed that Abreu continue suffering Harassment AND retaliation from this Staff.
- 265) ON March 103/2015 in the afternoon He observed TO C.O MAYER, Harassed Abreu Verbally in the same tier the Disciplinary Room (TIER ROOM). AND USED A TYPE OF EXCESSIVE USE OF FORCE He fail AND refuse to stop the incident He ONLY was there standing looking AND listen the incident, where C.O MAYER still Threat Abreu saying, "I fuck up you in BIG BUT if I want to do so." AND MR Hill ONLY minded about this sexual comment.
- 266) after in a hearing , he testify in behalf of C.O MAYER, alleged that Abreu started the incident when the same video camera record /Tape will clearly show that C.O MAYER started the incident completely not Abreu . but this are the classes of cover up , that made Defendant Hill regularly in vendor covered up always this classes of incidents from staff to inmates Abuses sexual Harassments, Assaults AND false REPORTS.
- 267) Defendant Hill Has also intervening with Abreu access to the courts refused to allow Abreu to comply with court orders in mailed copies of the complaints AND summons to Defendant AND Has Denied Abreu send letters of complaints to DMH Commissioner in Albon # (60)

268) ON 3/63/2015 Defendant Hill violated Abreu Due Process Rights in a tier III Disciplinary Hearing that he started on January 113 /2015 regarding on Incident alleged to happen on 12/09 /2014 with a correction officer.

269) Defendant Hill over two months Required AND ASKED by arbitrary AND CORRUPTION extension of times. The which many of them were asked AND REQUIRED of a form forces AND manipulators in bad faith and intentionally against Abreu. He found Abreu Guilty of the charges sentence to Abreu to an unlawful AND DISPROPORTIONED sentence of 365 Days / One year -- OR 12 months / of time with/loss loss of Recreation, Package, Connary AND phone.

270) Defendant Hill DENIED Abreu A lot OF POTENTIALS WITNESSES, INMATES AND TWO CORRECTION OFFICERS who were PRESENTS in THE MOMENT OF THE ALLEGED INCIDENTS AND even other WITNESSES TESTIFIED THAT THEY DONT SEE ABREU DOING NOTHING WRONG, AND OTHERS EMPLOYEES REPLIED TO TESTIFY REGARD THAT INCIDENT AND even TWO EMPLOYEES (A NURSE AND A C.O.) WERE SUPPOSED TO TESTIFY TOO REGARDING THAT ALLEGED INCIDENT MR HILL FOUND ABREU GUILTY OF ALL CHARGES. PLUS THE SENTENCE EXAGGERATED / DISPROPORTIONED. SHOW CLEARLY THE INTENTIONS OF MR HILL IN TRYING TO COVER UP C-O'S MISCONDUCT AGAINST INMATES IN PRISON. HE HAS A FAVORITION IN BEHALF OF C-O'S. HE IS OF THOSE EMPLOYEES / HEARING OFFICE WHO BELIEVE ONLY IN C-O'S STATEMENTS, NOT IN PRISONER STATEMENTS even IF THE RECORDS SHOW THAT C-O REPORTS ARE FALSE.

271) Defendant Hill violate Abreu the 1st  
5th, 8th And 14th Amend. Rights U.S. Const.

272) Defendant Hill Continue with his MISCONDUCT  
to the present and on 3/3/2015 ~~The~~  
Defendant Hill Threat Verbal & also to  
Abreu outside the Hearing room, alleged  
that Abreu will no receive legal copies  
from the law library, because allegedly Abreu  
sent a DIRTY LETTERS to an employee in  
Wende C.F who is friend of MR Hill, He  
told Abreu also that due to that letters  
that were the Reasons that he placed Abreu  
jail in the hearing.

273) Also, this CORRUPT Employee / Defendant Hill  
told to Abreu that he is doing all those  
things against Abreu due to Abreu CONTINUOUS  
numerous Grievances AND Complaints Against  
staff in Wende C.F

274) So, now Abreu is received also open  
Retaliations AND Reprials , from MR  
Hill, ONLY because Abreu is EXERCISES  
his Rights IN FREEDOM OF SPEECH  
AND TO PETITION THE GOVERNMENT FOR  
A REVIEW OF GRIEVANCES.

275) This Comments AND ThreatS FROM THE  
Defendant MR Hill the which He is part  
OF THE ADMINISTRATION in Wende Show Closer  
TO THIS COURT THE CONSPIRACY AND INTENTIONAL  
INTERFERENCE OF Abreu access' TO COURTS AND  
TO OUT SIDE WORLD AND ACCESS TO THE LAW  
LIBRARY COPIES AND TYPING SERVICES OF SUPPLIER.

276) So, Abreu is also receive Retaliations AND  
Reprisals for freedom of speech . FOR GRIEVANCES .  
FOR COMPLAINTS IN THE HEARINGS, TICKETS, LAW LIBRARY ETC  
ALL THIS ACTIONS AND MISCONDUCTS ARE UNCONSTITUTIONAL.

277) The Defendant Grode He is the senior AND SUPERVISOR OF THE GENERAL LIBRARY in Wende C.F. He is Reased, AND Failed to Provide Abreu with SPANISH MAGAZINES AND SPANISH NEWSPAPERS, THE WHICH ABREU IS INVITED TO RECEIVE PER CORRECTION LAW AND DOCCS DIRECTIONS AND REGULATIONS GOVERNING THE SHU IN LEAST ONCE TIME TO THE WEEK

278) Abreu Has written many time to the Defendant Grode AND FILED several GRIEVANCES AND COMPLAINTS REPORTING DEFENDANT GRODE MISCONDUCTS AND OPEN DISCRIMINATIONS AGAINST ABREU. DUE TO HIS RACE (SPANISH / LATINO) AND TREATED ABREU DIFFERENT THAN TO OTHER INMATES IN SAME AND SIMILAR MISCONDUCTS.

279) OTHER SHU INMATES IN WENDE MP Grade DELIVERY OR PROVIDE OR SENT A LOT OF ENGLISH NEWSPAPERS AND MAGAZINES EVERY EACH WEEK LESS TO ABREU, HE REFUSED AND FAILED TO PROVIDE ABREU SUCH SPANISH MAGAZINES AND NEWSPAPERS EVEN HE ALLEGED IN PRIOR GRIEVANCES THAT HE RECEIVE REGULARLY SUCH PUBLICATIONS IN SPANISH LANGUAGE, HE PROVIDED IT ONLY TO SPANISH / LATINO IN GENERAL POPULATIONS NOT IN THE SHU.

280) The Defendant Crowley who is also responsible OF SUCH SPANISH MATERIALS AND RESPONSIBLE THAT SUFFICIENTS OF IT MATERIALS BE DISTRIBUTED OR DELIVERED TO THE SHU SPANISH / LATINOS PRISONERS SHE HAS FAILED AND REFUSED TO RESOLVE THE PROBLEMS, THE WHICH TO THE PRESENT CONTINUE (FROM 2014 TO 2015). ALL THIS IS AN OPEN DISCRIMINATIONS, IN VIOLATIONS OF THE 14TH AMEND RIGHTS & STATE LAWS.

- 281) Defendants Paul Reid, Herbigon And Hodges, Has An Open Discriminations Against Abren And Required To Retaliate Against Abren, When Abren File Or Make Complaints Against They.
- 282) This Defendants Work In The Cafeteria From 3-11 Pm Shift. They Intentionally To Provide Abren Cold Waters Rather Than Hot Waters For His Kosher Meals Violated So, Abren Constitutional Rights, Under The 1st And 14th Amend Rights And The RFRA AND RLUIPA, About Religious Meats.
- 283) This Violations Are Based, To That Abren Religion Is Jewish, So, Abren Receive The Kosher Meals, In Lunch Time Abren Receive A SOUP COLD Salami, OR COLD Bologna, AND A PACKET OF TEA.
- 284) IN OTHER FOR ABREN CAN COOK, HIS KOSHER MEALS INCLUDING THE SOUP HE NEED HOT WATER. THE SOUP KETTLE METHOD FOR CAN COOK' THE SOUP SAY CLEARLY THAT ABREN NEED TO ADD "BOILING WATER" TO FILL LINE. AND ALLOW TO STAND FOR TWO(2) MINUTS., OR FOUR (4) MINUTS.
- 285) IF THE WATER IS NOT IN BOILING WATER ABREN CAN TO EAT HIS FOODS / SOUP AND ABREN IS NOT ALLOWED TO KEEP THE SOUP NEITHER HE IS FORCED TO THROW IT IN THE GARBAGE. WHEN HE IS UNABLE CAN EAT HIS SOUP DUE TO COLD WATER
- 286) ABREN IS ALSO UNABLE CAN MAKE HIS TEA WITH COLD WATER, ABREN DONT RECEIVE JUICES, THE TEA IS HIS JUICE SO, WITHOUT HOT WATER ABREN IS UNABLE CAN DRINK HIS TEA, SO, HE IS ALSO FORCED TO THROW IT

- 287) in other words Abree is unable to eat his meals in dinner time every night, in violation of his religion AND in violation of his rights to eat the 2,000 daily calories that a person needs for him to be healthy.
- 288) The Docs policy about Kosher meals clearly say that prisoners received Kosher / CAD meals are entitled to hot waters for that they can to eat them fast, and prepare their meals.
- 289) Abree has filed and complaining verbally about all this in ignorance complaints to the Defendants Reid Hodge, Lucas, Herbison, Lemiske, Schumacher, Crowley, Hill-Brown, Meyer, Sowa, Freeman, and Gregoire, who are responsible of the site and the food delivered to prisoners in the site, but they has ignore Abree complaints of a form deliberate and indifference.
- 290) They want Abree DRINK THE HOT waters from his cell sink but it waters are polluted waters AND DRINK waters (hot water) from the cell sink is very dangerous to health, and hazard to health. And high in Radium levels, and Federal Environmental Protection Agency and the state EPA don't recommend to prisoners DRINK hot water from cell sink OR tap, or from pipes.
- 291) This cell hot water has provoked strong stomach pains, diarrheas, vomits and other symptoms. Every time Abree use or DRINK IT in soups, casseroles or tea.

- 292) UPON INFORMATION AND BELIEF THE DEFENDANTS HAS FURTHER KNOWLEDGE OF THE DANGER OF DRINK HOT WATER FROM THE SINK AND THAT THIS WILL DO TO HEARTS OF PRISONERS, WHO DRINK IT CLOSER OF WATER, FOR THIS REASONS THEY PROVIDE SEPARATED HOT WATER HEATING BY THE MEAL-HALL HEAT, OR MICROWAVE.
- 293) ONE OF THE PROBLEMS ARE THAT ONCE TIME THE WATER ARRIVE TO SHU IT IS COLD ALREADY, OR SHU STAFF CARING A LONG PERIOD OF TIME FOR SERVE THE KOSHER MEALS AND THIS HOT WATER, AND THEY REFUSE TO RE-HEAT IT, WHEN THE WATER GET COLD EVEN THEY HAVING MICROWAVES IN THE SHU.
- 294) IN OTHER SHU'S, THE WATER HEAT IS IN THE SHU'S, NOT IN THE MEAL-HALL SO, COUS/SHU STAFF PROVIDE HOT WATER IN OTHER SHU TO PRISONERS WHO RECEIVE KOSHER MEALS BUT WHERE DEFENDANTS HAS FAILED OR REFUSED TO DO. OR/ONE REFUSED/FAILED TO RESOLVE THE PROBLEM AND TO THE PRESENT THIS PROBLEM CONTINUE VIOLATED SO, ABSEN RIGHTS AND HIS RELIGION AND RELIGIOUS BELIEF TOO.
- 295) THE DEFENDANTS REID AND HERBISON REGULARLY AND DISCRIMINATE ABSEN WITH HIS SPANISH MUSIC WHEN SPANNISH MUSIC ARE PLAYING IN THE OFF WALL RADIO PORT HOLES OR THE SHU, IN THE AFTERNOON THE DEFENDANTS CALL TO THE DEFENDANT CURTIS SNOWDEN TO CHANGE THE RADIO STATION TO ENGLISH MUSIC ONLY OR TO ENGLISH SPORT ONLY, THEY DOING SO IN RETALIATIONS AND DISCRIMINATIONS BECAUSE ABSEN HAS FILED GRIEVANCES AND COMPLAINTS AGAINST THEM & STAFF #166,

- 296) The Defendants Hodges, Lucas, CURTIS SWIDERS Crowley, Hill, Lempke, Freeman; AND GREGOIRE Has further knowledge of the Harassments DISCRIMINATIONS AND RETALIATIONS WITH THE SPANISH MUSIC THAT IS SUPPOSEDLY, OR FORBIDDEN TO BE PLAYED IN THE SITE. FOR SPANISH PRISONERS PLACED IN THE SITE.
- 295) The Defendants MEXERS AND Brown Has also further knowledge about all THIS MISCONDUCTS, BUT THEY SIMPLY HAS REALED IGNORED OR REASSED OR FAILED TO RESOLVE ALL THIS PROBLEMS.
- 296) There are 3 Holes in the Cells of the Site Radio Pots/stations two (2) English music are playing daily, and Only English TV stations it played Daily. When ABREN ARRIVE TO WENDE C.F SITE, NO SPANISH MUSIC WERE PLAYED.
- 297) ABREN EUROPE A GRIEVANCE COMPLAINT CHALLENGED THAT SPANISH MUSIC WILL BE PLAYED DAILY IN ONE OF THE HOLES. BECAUSE IT IS A DISCRIMINATIONS THAT ONLY ENGLISH MUSIC AND ENGLISH TV CHANNEL BE PLAYED ONLY DAILY IN THE SITE.
- 298) Then SPANISH MUSIC WAS STARTED TO BE PLAYED FOUR TIME IN THE WEEK, WEDNESDAY FRIDAY SATURDAY AND SUNDAY, ONCE FOR SEVERAL HOURS IN HOLES NO. 1 OF THE SITE CELL RADIO POT, & ENGLISH IN HOLES #2 & #3.
- 299) However for Feb/2015 the CO. REID AND HERBISON STARTED TO CALLED TO SWIDERS TO CHANGE THE SPANISH MUSIC TO OTHER STATION. INTERFERING WITH ABREN SPANISH MUSIC PROGRAMMATIONS  
#(67)

- 300) Abreu filed a grievance Complaints Challenged Co's Reid and Herbison Misconduct on or about Feb/14/2015
- 301) The grievances/complaints was Investigate by Corrals Meyer and Sgt Hodges. The C.o's Reid and Herbison has advised to other SHU inmates that Abreu has written complaints against them regarding Spanish music station, they changed it. So they cannot do change it again or call to work for change it, no more.
- 302) However C.o's Reid And Sgt Hodges threatened Abreu that he will go pay the consequence of filing grievances against them regarding the Spanish station. Two (2) weeks after of Abreu complaint the Spanish music in the SHU was reduced from four (4) time to the week now to only one time in the week (only Saturday for several hours that it).
- 303) They Sgt Hodges And C.O. Reid told Abreu Do you see we have a lot of power here and a lot of friends, for change the schedules of music and programming, now you only can listen Spanish music once time in the week and if you again to wrote a grievance again us now you don't will go listen no Spanish "music in all" Do you understand this? And they left.
- 304) To the present only Saturday Spanish music from the Spanish station called "CALIENTE" from Rochester or ~~Buffalo N.Y~~ is played now in the SHU, ONLY once time in week #168,

- 305) The Defendants Crowley, Hill, Lenape, Schumacher, Meyer, Brown, Lucas Annucci, Bellmiller, Chief Inspector General, McKoy, AND Prack / D. Venetozzi, Has allowed That This Discriminations And Retaliations And Repriacs Continue Happen To Abreu in Wende C.R SHU. AND CORC Has also failed to Resive all this violations.
- 306) The Defendants abuse Discriminations And Retaliations And Deliberate indifference To Abreu Constitutional Rights, And Then Continuous Unconstitutional Policy Of Cover UP Staff MISCONDUCTS Violate The 1st 8th And 14 th Amend. 'RIGHT U.S CONST' AND Violated state law, And Federal law.
- 307) The Defendants STIRK, Lison, BROWN, Crowley, Along with Defendants Lenape, Bosco, Grant, Bosco, OMH Commissioner Annucci, Ramirez, Romero, Kenggrom, Prack, Venetozzi, N.Y.S. DOCCS, N.Y.S. OMH AND NEW YORK STATE, Are Denied all proper And mental Health Services in the SHU, TO MR Abreu. From September 2014, TO THE PRESENT March 2015, They Has Denied Abreu mental Health Care, Treatments, medications program AND services in Wende C.R SHU.
- 308) The Defendant Lison is assigned to SHU in Wende For Provide Mental Health Services TO the SHU PRISONERS, DAILY FROM MONDAY TO **FRIDAY** in side cell doors, AND EVERY TWO WEEKS' in Privacy room.
- 309) However she deprived Abreu of the Mental Health Services, in SHU she walk ONLY from cell I to cell 16, Abreu is contained in cell 42-17 cell <last cell of 42 garret> # (69)

- 310) The Defendant Lison, refuse to talk with Abreu, refuse to provide him treatments care, refused to check how Abreu is in his cell she in Retaliations has spoke and provided bad and manipulate, confidential testimony in hearings over against Abreu along with defendant STIRK the which is bad faith and manipulate confidential testimony against Abreu in his disciplinary hearing has harmed and injuries in his defenses.
- 311) This defendant has discriminated and abused to Abreu from the first time Abreu meeting with that defendant in the site in Sept/2014 where Abreu has written against Defendant Lison and STIRK multiple grievances and complaints
- 312) after this grievances and complaints against defendant Lison, she started to write Abreu multiple ticket, false and manipulate in reprimands and in Retaliations against Abreu. And between 3 to 4 of this ticket report, were reversed by Doctor.
- 313) However defendant Lison continue with her misconducts against Abreu until the present. On Jan/13/2015 she again in Retaliations wrote a false ticket report to Abreu. In Feb/2015 the ticket report was removed from Abreu record and dismissed in facility level by super Lempke.
- 314) But the misconducts of defendant Lison continue including her open discriminations and Retaliations against Abreu including Threatening and different treatments.

315) So, we cannot say under this circumstance that the testimony provided by she or stick were in good faith in the hearings. This is very clear that were made in bad faith and with the only purpose of harm and injuried to Abreu in his hearings.

316) Abreu is a mental health level one by OMH/CNYPE classification and due to this level all and each hearing officer are required and mandated by laws, Docs Directives and Docs/OMH policies to consider Abreu mental states in the moment of the alleged incidents/hearings and mental health states in such case the Defendants Lizon and Stark are required and mandated also to provide a confidential tape to each disciplinary hearing officers of any report/ticker that be written against Abreu. So, the Defendants write tickers and also provide to the same time the confidential tape regarding Abreu mental state. Has this ever since in all?

317) The Defendants Stark has covered up each all misconducts of Defendant Lizon against Abreu. The Defendants Stark; Lemke; Crowley; Hill; Barco; OMH Commissioner; Annucci; N.Y.S.; Grant; Manning; Pack; Vianellozzi; Ramirez-Romero; Kolodig; Brown; McKoy; and Brown has failed to resolve any of this problems has failed and refused to remove to Defendant Lizon or the staff even they has further knowledge that the problems continue to the present. They has failed and refused to provide other social worker/therapist/division to Abreu who can have a better relation between patient and therapist or who can treat Abreu with respect, and considerations.

- 318) in the several privacy interview that Abreu has had with Lizon in the past, she only has passed off the interview threatening Abreu, yelling to him Deseñorios treated him very different to others / inmates in same or similar situations OR similar circumstances.
- 319) She and Stark were in port who provoked that Abreu be placed behind double cell shacks / plexiglass and that Abreu wear a special suit too.
- 320) However they denied all this alleged that that determinations and decisions were made by Security staff (Dee Brown Corrigan Meyer and L.T. Keenan) not by OMH or they, however the records say other things, and all this was made in Reprida's reticulations AND discriminations after Abreu insisted grievances AND complaints against this Defendants.
- 321) On January / 08 / 2015 Abreu arrive to Wende CT from Downstate C.R. MHU 06 cell, where Abreu was received mental health medications but approx. two (2) weeks after Abreu arrived to Wende CT in Jan / 2015 his mental health medications for depression AND MOOD change, were discontinued by Deseñorios STARK, Lizon AND Doctor of a form deliberate indifference to Abreu mental health conditions even they has further knowledge that Abreu is in need of his mental health medications.
- 322) Abreu in no time in all has received only of his mental health medications, but the medications were completely discontinued.

323) Abreu Has written numerous letter  
of complaints to the Defendants Baca,  
OMH Commissioner; N.Y.S. OMH; Ramirez-  
Romero; Bonner; Alvarez; Lomprez And  
Crowley Reporting all this misconducts Abreus'  
Retaliations, Discriminations, Reprials, Denial  
of medications And proper And Obsequious  
Mental Health services from Defendants  
Lisson And Stark but the Defendants  
Above Has Failed, OR Refused to assist him  
OR Resolve the problems, in Wende C.F. Site.

324) The Defendants Has acted or a form  
Deliberate And Indifferent to Abreu  
Constitutional Rights Federal Laws And  
State law the which Protect Abreu Rights  
to receive proper And obsequious mental  
Health care with respect, consideration,  
And Dignity

325) The Defendants meaning And Grant  
Has acted or a form also similar  
of Deliberate indifference that the  
Defendants above And to the present  
Abreu Continue suffering the same  
Violations And Deliberate indifference.

326) Abreu in no time Has refused any  
treatments care, programs services  
OR MEDICATIONS. From Mental Health  
in Wende C.F. Site.

327) The Defendants Has violated Abreu  
1st 8th AND 14th Amend rights  
the ADA AND Rehabilitation Act;  
the correction law, the mental hygiene  
law the SHU bills laws, the  
federal laws, AND prior private  
settlements regarding the treatments of  
PRISONERS WITH MENTAL HEALTH contained in the SHU  
# (73)

- 328) The Defendants WYZKOWSKI Has Denied Abreu Prescribed Eye glasses with SV trans lenses Approved in a Facility claim from JCY/2014 to the present March 2015.
- 329) Abreu without his eye glasses is unable to read well, suffering pains, and blurred in both eyes unable to do daily activities, feeling strong Headaches Dizziness, and light bother Abreu eyes.
- 330) The Defendants Have been acted of a form Deliberate and indifferent to Plaintiff Abreu serious medical conditions.
- 331) Abreu Has filed mainly complaints sick call slips and grievances about his eye glasses with SV trans lenses.
- 332) Abreu Has written mainly letters about OVI Tho AND WYZKOWSKI misconduct to Schumacher, Klinger, Teporek, Annaca, Kolnigsmorn, and Bonnier BUT Abreu Complaints were all ignored, OR not resolved yet to the present by the Defendants.
- 333) Abreu Have also reported the problems personally to the Defendants La Plazza, Davis, Jane Johnson, and Lent but they are have ignored Abreu OR refused OR failed to resolve the problem with Abreu eye glasses SV lenses.
- 334) The Defendants Has violated the 1st 8th AND 14th Amend Rights AND state laws. Abreu believe also, that the denial is based in rotations by prior complaints  
#174

335 > Recently in Feb/2015 Abreu saw to Defendant, Wozniowski, the which told Abreu, "what do you will go continue writing me grievances AND complaints ? now I don't will go give you any glasses with Sr. stars lens. Piece shit, go out write OR grievance against me, I need only to denounce what I say to you, they believe me BEFORE , they believe you."

336 > So, this is very clear , that Abreu is also Received Retaliations AND Reprials From this Defendant. PRIOR TO Complaints AND grievances AGAINST HIM.

337 > Defendants Teporez, Glory, Court Fucina , La Anna , Dan's Jone John '12 and 3, AND Defendants Ash AND Koerigmann, along with Defendants Alvarez, Killinger, Berliner, Lemke, AND Schumacher has further knowledge that Abreu is bleeding from noses AND spitting blood bleeding from anus Recal pain in stool in need of Colonoscopy (Colonoscopy) in need of a Hand Surgery due to pain AND carpal tunnel, in need of his back brace, AND MEDICAL BOOTS AND eyeglasses AND see specialists, but they all has ignored Abreu of a form Deliberate AND Indifferent placed Abreu in on Instant Danger AND suffer chronic pains AND suffering from July 2014 to the present March 2015.

338 > the Defendants continue to the present with the same misconduct AND Deliberate indifference, even Abreu filed sick-call daily and sending letters AND grievances complaints. They have violated Abreu, 8th AND 14th Amend. Rights.

- 339) Defendants MEXER, HEIF, FURLANI AND Hill Has Violated Abren Due Process Rights And his Constitutional Rights in Denied Warrants Don't allow Abren to attend to his Disciplinary Hearings And sentenced to Abren to DISPROPORTIONED The sentences of years And years in the same with loss of all Privileges.
- 340) ON 1/28/2015 - 1/23/2015 - 2/10/2015 - 3/9/2015 - 3/12/2015 AND 3/2015 They Sentences to Abren to seven (7) years or five Convenants along with loss of Privileges. in violations of the 8th And 14 th Amend. Rights the which Prohibit cruel and unusual Punishments And Prohibit, Due Process violations And Prohibit Discriminations And Retaliations.
- 341) The Defendants were arbitrary and capricious in their sentences DISPROPORTIONED against Abren, and abused of their Discursions, Power And Authorizations.
- 342) Abren believe that the sentences were based in Retaliations And reprisals for prior grievances And complaints against them on/one against other staff in violation of the First Amend. Rights.
- 343) The Defendants REINHOLD, AND VASQUEZ Denied Abren, Documentary orders, Documents (Photo/ Test), And others Record And copies of letters and information that Abren was in need for his defenses in his Disciplinary Hearing of 1/23/2015, 1/28/2015 - 2/10/2015 - 3/9/2015 3/12/15 AND 3/2015., Violated 50, Abren Rights.  
#(76)

- 344) Defendant Varguez was the speak Spanish assigned Abreu for to provide assistance Abreu in his tickets regarding the above hearings, but Defendant Varguez fail and refuse to provide Abreu with such records that Abreu was in need for his defense.
- 345) Defendant Varguez alleged that the Secretary or the Corrison/Secretary of the Disciplinary office Defendant Reinhardt refuse provide and give to Varguez the recorder photos directives documents etc, that Abreu was in need.
- 346) Defendant Varguez told Abreu that Defendant Reinhardt is the assigned to provide all records and that he only provide Abreu the items that Defendant Reinhardt give him, and the others items for reasons that he don't know Defendant Reashed to provide all it to him because Reinhardt is in charge or what on inmate can have and can not have or receive in a tier III assistance from any tickets / reports that on inmate receive in while
- 347) Defendants Varguez and Reinhardt have both intentionally interfering with Abreu tier III superintendents hearings / disciplinary hearings defendant when they provided in bad faith & intentionally a bad assistance and bad aid in the tickets / reports that Abreu received in while of from January 2015 to March 2015.
- 348) This Defendants violated Abreu Rights under the 1st 8th and 14th Amend. Rights.  
#(77)

- 349) Defendants Meyer, Hill, Burton, And Hill, Failed And Refused To Provide Abren With Sufficient Copies Of The Dispositions And Refused To Consider Abren, Mental Status, One Mental Ill. Or Mental Health Declines, In Back Hearings.
- 350) Defendants Meyer, Hill, Burton, And Hill Failed To Verify Personalities If Abren Has Real Or ~~Refused~~ To Attend To His Hearings, And If So If Some One Or C-O. Or Staff Was Or Were Threatened Him With Assaults Or Physical Attack Or To Destroy His Properties If He Attends To The Hearings, Or If Abren Has Score Or Poor For His Scores If He Attends Examples To The Hearings.
- 351) Due To All This Failed The Hearings Are Null And Void, And Will Be Also Reversed By This Court, And Excluded From Abren Records.
- 352) The Ticket Reports Written By The Defendants Lison, Thor, Phelon, Krigier, Jackson, Mayer, And Member Related To The Hearings Mentioned Above On 1/10/15, 1/2/09 / 2014, 11/14/2014; 2/26/2015; 11/19/15, 3/03/2015; 3/02/2015, AND 3/03/15 Are False, OR Manipulated OR Exaggerated In Retaliations For Prior Grievances And Complaints Written OR Verbally Against Them, Prior To The Alleged Incidents.
- 353) This Defendants Has Violated Abren 1st 8th And 14th Amend Rights With Their False, Manipulated OR Exaggerated Tickets, Charges And Reports/Statements Made In Retaliations

- 354) Defendant Steve Furlani From  
OBREV DRIVE TO WENDE C.F. SHU  
in July 2014 to the present March  
2015 is Denied ABREV Education  
And Cell Study And Denied  
ABREV to take the G.D. Test.
- 355) Defendant Furlani Misconduct are  
Due To Discriminations And in  
Retaliations Against ABREV, in  
Discriminations by ABREV Race  
ETHNICITY And Status such as  
a Prisoner in the SHU.
- 356) Defendant Furlani Retaliations  
are based in Prior Grievances  
And Complaints Against him  
And Staff who are his friend.
- 357) Defendant Furlani Has in the  
Past And Present (most recent  
on 2/10/2015) Disrespected ABREV  
With Verbal Rude And Others  
Extremely offensive statements And  
Threatening.
- 358) This is some things that he have in his  
records because others several prisoners  
Has in the Past written multiple grievances  
And Complaints for similar misconducts  
Discriminations And Retaliations And  
Verbal abuses against prisoners.
- 359) He also Run or conduct the disciplinary  
Hearings of a form arbitrary And Corridors  
And Abusive. He and Defendant MEYER ARE  
of this Hearing Officers that no matter if the  
Inmate(s) is not guilty they always found inmate  
guilty. And no matter what defense, proof or evidence  
the inmate have they always found SHU inmates guilty.

- 360) This Defendant also Sentence to  
the PRISONERS TO abuse And GROSSLY  
DISPROPORTIONED such sentences, The  
which are SHOCKING TO ONE'S sense  
OF FAIRNESS.
- 361) The Defendant FURONI Continue with  
his misconduct to the present Against  
Abreu, He Has Violated Abreu 1st  
8th, And 14th Amend. Rights
- 362) Defendants MEYER · LUCAS · KELTON · LABEDZ ·  
MORA · HODGES · AND ROBERTS are  
the persons that always OR REGULARLY  
are appointed by the Superintendent  
LEMPKE OR DSS BROWN TO CONDUCT ALL AND  
EACH INVESTIGATIONS REGARDING ABRU grievances  
AND COMPLAINTS, THIS DEFENDANT HAS  
REGULARLY REPLIED TO DO THE INVESTIGATORS  
OR MAKING THE INVESTIGATIONS INTELLIGIBLY  
OF A FORM IMPROPER, UNFAIR, ARBITRARY  
AND CORRUPT.
- 363) Some time this defendant alleged that  
they interviewed Abreu, and alleged in  
false fabricate OR manipulate statements  
that Abreu, no has nothing more than  
odd to his complaints / grievances or that  
Abreu alleged that he don't have any  
witnesses ect when really they don't have  
interviewed Abreu in all.
- 364) Then when they Interview Abreu They TALKING  
BAD TO Abreu AND DISRESPECT HIM VERBALLY AND  
REFUSE TO INTERVIEW WITNESSES, OR alleged that  
they REVIEWED THE VIDEOS FOR AND THAT THEY  
DON'T FIND NOTHING WRONG MADE BY THE STAFF  
ECT. THIS ARE TRICK THAT THEY ALWAYS DO WRITING  
MONT TIME THE SAME OR SIMILAR STATEMENTS IN EACH  
OF THEIR INVESTIGATION REPORTS / STATEMENTS ABOUT ABRU GRIEVANCE  
#(80)

365) The Defendants above misconduct is a type of TRICK that they use for Denial grievances AND complaints that are written against Staff by Inmates and they never accept in all that the Staff is or was wrong in his or her misconduct against Abren, OR other inmates even if the video tapes show to that particular employee Staff OR uniformed committed the alleged misconduct. Even if the inmate have the injured him OR inmates such as witness to the alleged incident they will go to deny the grievance AND complaint any way. OR Allege that the SHU video cameras not were working that day OR no audio record was available.

366) This are the TRICK that use the Defendants in grievance AND complaints. They also refuse to preserve the video tapes of the incidents alleged in the grievance or complaint, OR and refuse to attach it copies of the video tape to the grievance/complaint for be reviewed by CORC in Aben /docs

367) So, this is an open cover up AND CORRUPTIONS THAT ALWAYS HAPPEN IN Facility level AND docs level.

368) ALSO many of this SUPERINTENDENTS watch common SECURITY staff such as Corrains/DRS and SUPERINTENDENTS AND many docs AUTHORITIES were BEFORE CORRECTION OFFICERS, OR Deputy SUPERINTENDENTS etc. who WORKED OR WORK IN DIFFERENT PRISONS. THIS ARE ALWAYS THE TRICK AND TRAINER that they always receive TO DENY INMATE GRIEVANCES /COMPLAINTS, TO COVER UP STAFF MISCONDUCTS, TO COVER UP THEIR OWN MISCONDUCTS, AND DENY THAT THEY HAS COMMITTED ANY THINGS WRONG, IN ALL. & IN THE SAME WAY THAT THEY ARE TRAINED IN HOKING, THEY ARE ALSO TRAINED TO DENY ALL THE THINGS

369) They are trained in how to respond to grievances, in how to respond to complaints, in how to make statements in how to write in those statements, in what to write in investigating reports in how to recommend to superintendents and CCR in respond to such grievances and complaints.

370) Example, when a Sgt, L.T, Capt or Lt. Col. to do on investigation regarding a grievance or complaint they wrote in confidential statements, the following

" I Recommend that the respond/answer to start on this form, AND that this be the respond to Abren grievance/complaint " No evidence was found in your allegations that Staff has assaulted OR Harassed to you in the Shtu on MARCH/2015, staff has denied both verbally and in writing all allegations of misconduct or unprofessional behavior. The investigation has concluded and no evidence exists to support the allegations. Therefore, I have concluded this grievance is without merit and the requested remedy is Denied / OR grievance Appeal is Denied".

371) So, after this recommendations, the Superintendent regularly without to conduct any investigations. And many time without to review none of the documents, to accept this Recommendations and write word by word the written by the investigate even if the grievance complaint was made against also of the investigator who investigated the grievance. So, this is called corruption/deliberate indifference

372) This same misconduct and cover up are also made in the same way in Doctor by this authorities  
F(82)

373) upon Information And Belief THE  
Reasons why this Defendants to do so,  
With this grievances Response, And Tame  
Grievances And Recommendations are (1) for  
ALL TO BE IN THE SAME PAPER. EG IN THE  
Same Statements, AND AVOID THAT THE ~~INVESTIGATORS~~  
- MIGHT SAY SOME THINGS AND SUPERINTENDENT SAY  
OTHER THINGS WHICH WILL HARM TO THEM IN  
LAWSUITS IN CASE THAT THE INMATE SUED TO THEM  
OR FILED AN ARTICLE 78 OR A § 1983 ACT  
(2). FOR SO, TO COVER UP STAFF MISCONDUCTS.  
AND (3) A MORE EASY JOB FOR SUPERINTENDENT  
TO RESPOND TO THE GRIEVANCE WHERE THE STATEMENT  
THAT HE IS SUPPOSED TO RESPOND OR ONWARD IS  
ALREADY WRITTEN BY THE INVESTIGATE SO HE  
NEED ONLY SIGN IT. OR TYPE IT IN A PAPER  
AND SIGN IT. DAST' JOB. OF A FORM DELIBERATE  
AND INDIFERENT TO PRISONS GRIEVANCES AND  
PRISONERS COMPLAINTS.

374) FOR THIS REASONS IS THAT REGULARLY TH. J  
GRIEVANCES / COMPLAINTS ARE DENIED, EVEN WITH  
MERITS. AND GOOD CAUSE, SO, FORCED TO  
PRISONERS AND ABLE TO SEEK JUDICIAL HELP,  
ADVICE, ASSISTANCE AND / OR INTERVENTIONS, SO THIS  
IS NOT THAT INMATES PULL OFF ABUSE OF THE COURT  
SYSTEM, THIS IS THAT PRISON OFFICERS FORCE  
TO INMATES TO SEEK JUDICIAL INTERVENTIONS, AND  
GO TO THE COURTS.

375) THERE ARE EVERY EACH YEARS, 100'S OR 1,000'S  
OF ARTICLE 78 FILED IN STATE COURTS IN N.Y.S.  
REVERSED PRISON AUTHORITIES AND DOCS OFFICERS  
PRIOR DECISIONS / DETERMINATIONS, IN HEARINGS IN  
GRIEVANCES IN COMPLAINTS SUCH AS FOUND PRISON  
OFFICERS TO BE ARBITRARY AND CAPRICIOUS OR  
ABUSED OF THIS AUTHORITIES, AGAINST INMATES, IN  
HEARINGS IN TICKETS, IN GRIEVANCES IN DECISIONS ETC  
FORCED INTENTIONALLY AND IN BAD FAITH TO GIVING  
EXTRA WORK TO THE COURTS AND TO THE ATTORNEY GENERAL OFFICES  
# (87)

376) The Defendants don't have nothing to loss in all they get free representations by Attorney General Office (Attorneys) They don't need to pay court fees AND even if Settlements in § 1983 complaints filed by prisoners against them in federal or state courts OR still in Court of claims They don't need to pay out of the money in all, all this is paying by the state AND don't affect to them in all, no matter their or out of them misconducts Unless that the inmate(s) go to trial, AND a jury found the ~~state~~ personally liable of the violations so, they will to pay all this So, after that the state pay all this.

376) The grievance system was created for resolve problems, however they has used it for cover up staff misconducts AND refuse to resolve the problems in facility or doctor levels. This has come to a point that most time investigations are not conducted in all they simply denied the grievances AND that is

377) The Defendants Lempke; Brown; Crowley; Freeman; Schmacher; Stark; Lenox; Toporek; Roberts; Gregoire; Laco; Krygier; Blake; Turton; Perron; Mexter; Keenan; Kolnigsmann; Bellini; Ramirez; Romero; Beltram; Venetozzi; Prack; Annucci; T Brown; Fucina; Heif; McKoy; Bocce; Ash; Hir; Connolly; Meeks; Killinger; Sowa; AND Child Inspector General, has all AND each of them, learned each and all violations the which Abren has suffered OR suffering in wonder/JHU, they has be aware of the deviation one has fails to remedy it, AND has allowed to continue the policy of unconstitutional practices occurred; AND failed to correct them even learns all this violations through reports, grievances & complaints.

# (84)

- 378) This Defendants above, "PERSONALLY had, a job-duty to do and they did not do it, and their failure to do their job-duty were so likely to result in the violation of Abren Constitutional Rights" as to establish deliberate indifference on his parts.
- 379) Deliberate indifference by this defendants to Abren's Constitutional Rights is sufficient to establish liable under 42 U.S.C. § 1983.
- 380) This Defendants above has violated Abren 1st, 8th and 14th Amend. Rights - state laws ADA & Rehabilitation Act - APA (Administrative Procedure Act) / mandamus (5 U.S.C §§ 551-583, 701-706, 801-808, 3105, 3340, 6362 AND 7562) And violated the RFRA / RLWPA (The Religious Freedom Restoration Act) AND THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSON ACT) AND VIOLATED THE 42 U.S.C. §§ 1981, 1982, & § 1985 AND § 1986 (RACIAL DISCRIMINATIONS AND CIVIL RIGHTS CONSPIRACY CLAIMS) THE WHICH ARE GOVERNED ALSO UNDER § 1983.
- 381) Defendants Powell AND Doe Jailer Has violated Abren's Rights. ON January/08/2015 TO January/13/2015
- 382) ON Jan/08/2015 Abren was placed in the Mental Health Unit (MHU) observatory (Obs. cell) in where C.R. OMH Satellite unit, where an unusual, arbitrary, capricious, AND humiliates OR EMBARRASSMENT STRIP SEARCHES/BODY SEARCH was conducted by Defendant Powell, Front Doer (supervisor) AND OTHER C.O.s.
- 383) Defendant Powell FORCED to Abren to keep his BUTT COMPLETELY OPEN FRONT HUT.  
#1851

384) Abren was forced to remove all clothes still to be completely naked/make front C.O. Powell, Ink front two to 3 extra C.O.s AND a Sgt/ SUPERVISOR

385) Abren abren was completely naked C.O. Powell say "oh this is the motherfucker who always is warning inmates against staff?", the supervisor say yes he is.

386) C.O. Powell forced Abren then, to touch his penis up & down it show testicles up and down, and now put his fingers inside of his mouth and lips with the same hand/fingers that Abren touched his penis / and testicles, they smiled about all this.

387) Other defendant Powell, force to Abren to open his Ass- BOTTOM /cheek And make comments like uuuuu "Look That big Butt" this non' have 'Harrhhh'. Then when Abren removed his hands from his Butt, C.O. Powell say Nono, no, no, open your FUCKING ass again, I Don't finish to look in it., and keep it open.

388) He force Abren to keep open his butt cheeks for several minutes AND ORDERED Abren DON'T MOVE AND KEEP IN THAT POSITION, still they close up the room DOOR

389) So, Abren was forced to keep his butt ass open still they walking aways out of the room AND closed the obs cell DOOR then was there when Abren was allowed to remove his both hand from his cheeks butt.

390) From Jan/08/2015 to Jan/13/2015 Abren Religious meals /Kasher meals were violated by C.O. Powell AND OTHERS CO.S ALSO.

391) They were denied Abren all his waters all coffees AND茶 they were opened Abren soups out of his presence; opened Abren cheeses salamis Bologna packets out of Abren 'presence' opened all AND each contains from Abren food meals items AND throwing it inside of the trays all together like Abren was a dog OR an animal

392) When Inmates receive Kosher meals all and each items come ~~completely~~ closed from the new-Hall PRISON officials are not allowed to touch OR open it foods, because they are religious meals, One doing so will violate PRISONER Rights AND their Religious Belief

393) The CO's were doing so because they don't like Jewish PRISONERS, OR inmates who receive Kosher meals, because they believe they receive too much OR too many Privileges in PRISONS with their foods MANY OF THIS PRISON OFFICIAL HAS THE BELIEVE THAT ALL AND EACH PRISONERS ARE SUPPOSED TO EAT THE SAME FOODS, AND THAT RELIGIOUS FOODS WILL NOT EXIST IN PRISON. SO, FOR THIS REASONS REGARDLESS THEY VIOLATE THE JEWISH RELIGIOUS MEALS INTENTIONALLY AND IN BAD FAITH, FOR TO FORCE TO PRISONER TO EAT ONLY REGULAR FOODS

394) The CO power, Defendants Does, AND OTHER CO'S were also denied Abren meals /Kosher meals for two days ALL INTENTIONALLY AND BAD FAITH FOR FORCE Abren TO EAT REGULAR MEALS / FOODS. in the MTH OBS. ON.

395) The Defendants above HAS VIOLATED THE 1ST 4TH 8TH AND 14TH Amend Rights, AND violated 'Abren Federal AND STATES Rights laws AND OTHER CIVIC RIGHTS WHO PROTECT Abren OF THE CLASSES OF VIOLATIONS.

- 396 > The Fourth Amendment also provides that "The Right of the People to be Secure in their Persons, houses, papers, and effects against unreasonable Searches and Seizures shall not be violated, and no Warrants shall issue but upon probable cause... The Due Process Clause's Protection of Liberty (4th and 14th Amend Rights U.S. Const.). Also includes certain Privacy-related interest, including "the individual interest in avoiding disclosure of personal matters" and interest in making certain kinds of important decisions.
- 397 > State law also generally protects broader rights of privacy and unreasonable strip searches, such as the Federal Constitution in this issue, so Abreu Rights were violated.
- 398 > The Defendant Skubis, he is denied Abreu all classes of Counseling services and has engaged in campaign of Harassments and Retaliations, and Discriminations Against Abreu, with some sexual Harassments.
- 399 > Defendants Skubis have also treated to put other stress against Abreu. One he has been Investigated two time (twice) by Inspector General Office / Office of Investigations for Harass, Retaliate, and Discriminate Against Abreu in gender c.f skin.
- 400 > The most recent discrimination and sexual Harassments happened in feb 2015 in a Privacy shower room where the microphones are turned off. There is that room he called Abreu bitch fucking Raped your own COUNTRY. Don't want you back get out of my country. Suck my DICK; you mamma is a bitch AND others many offensives and threatening statements of sexual nature.

- 401) He made all this front the co manager who received and fail to protect Abren from CONSECTOR SKUBIS, AND TO THE PRESENT THE DEFENDANTS SKUBIS continue with his open discriminations harassments and retaliations AND THE DEFENDANTS CHIEF OF INSPECTOR general LEMPRE, BROWN AND ANNEX, AND CROWLEY HAS ALL FAILED OR/AND REFUSED TO PROTECT ABREN, AND REMOVE TO SKUBIS OR THE SAME. EVEN SOME OF THEM PERSONALLY OBSERVED SOME OF THE INCIDENTS FROM SEPTEMBER 2014 TO THE PRESENT MARCH/2015.
- 402) THE DEFENDANTS SKUBIS AND KRYGIER HAS ALSO ENGAGED IN A CAMPAIGN IN DENIED ABREN ALL AND EACH FOIL REQUEST (FREEDOM OF INFORMATION LAW REQUEST) STARTED FROM JANUARY 2015 TO THE PRESENT MARCH / 2015.
- 403) THEY HAS BOTH (KRYGIER AND SKUBIS) STARTED TO DENY ABREN ALL AND EACH FOIL REQUEST OR/AND INTERFERING, AND IMPEDED WITH ABREN RIGHTS IN REVIEW FOIL REQUEST DOCUMENTS PAPERS, AND INFORMATION, ALL INTENTIONALLY IN BAD FAITH AND MADE HAVING IN RETALIATIONS, REPRISALS AND DISCRIMINATIONS.
- 404) ON THE PROBLEMS WITH THE FOIL REQUEST STARTED AFTER ABREN FILED SEVERAL GRIEVANCES AND COMPLAINTS AGAINST BOTH KRYGIER AND SKUBIS.
- 405) SO THEY STARTED TO PUT MORE, AND MORE DIFFICULTY IN ABREN CAN GET OR REVIEW FOIL REQUEST STILL A POINT THAT THEY HAS NOW DENIED ALL AND EACH FOIL REQUEST FOR REVIEW, AND STARTED TO REQUEST SPECIAL REQUIREMENTS AGAINST ABREN TO THE FACILITY ADMINISTRATION AND DOCS FOR AVOID THAT ABREN RECEIVE FOIL.

- 406) many of this special requirements were arbitrary, capricious, discriminatory, retaliatory, abusive, and an abuse of discretion, power and authority.
- 407) not only they started to Denial Abren all FOIL Requests for documents hearing tops, papers and records and directives and/or policies. They were trying Abren completely different to all other inmates in similar situations or/one similar
- 408) Example the Site Inmates in zone C-F can receive FOIL Request Daily (Monday to Friday) and keep the FOIL Request from 1 Day to 3 Days in their cells, Received all papers, documents, tops etc
- 409) in the case of Abren in retaliations of discriminations they required to the facility administration and does authorizes to deprive Abren of FOIL Request for Renal, OR to limit it to only one time in the week OR limit the renal to only 3 hours rather than 24 to 72 hours the which Abren is allowed to renal the FOIL Request.
- 410) AND Counselor SKUBIS will to pick up the day in the week one the 3 hours allowed not Abren. However they keep the first Request of Denial Abren all FOIL Request any way, with or without authorizations from the facility administration or Abren approve
- 411) UPON INFORMATION AND BELIEVE THE DEFENDANTS CROWLEY, LAMPKE, BROWN, ANNUNZI, BENNIER, Counsel OFFICE /BOLL / MCKEEY CORC /DOCS HILL AND SCHUMACHER HAS APPROVED, ALLOWED OR/AND PERMITTED, ALL THIS VIOLATIONS. DISCRIMINATORY TREATMENTS AND RETALIATORY TREATMENTS AGAINST ABREN  
R(90)

412) Moreover this Defendants Has Learned  
Personality or all and each of the Violations  
And Misconducts from Skubis And Kryger  
Through grievances' letters or complaints.  
And Ministry Appeals, So, This is not  
Something that they don't know and this  
is not something that they are not aware  
They Have further knowledge about all the  
Unconstitutional Violations, And or the  
Violations of Abren Rights Through State  
And Federal laws Regarding FOIL/FATF

413) but the Defendants above has taken the  
choice of deliberate indifference of all  
and each Abren Rights be this provided  
via federal or state laws or regulations  
or via the Constitution of the U.S./N.Y.S.

414) the Right to access the files of the  
United States government is established  
by two Federal laws the Freedom of  
Information Act (5 U.S.C § 552 (2000))  
and the Privacy Act of 1974 (5 U.S.C  
§ 552(a) (2000)). (Enacted both in 1966  
and in 1974).

415) These laws have been tremendously success-  
ful in enabling public access to government  
files. The Freedom of Information Act  
and the Privacy Act. It gives a person  
(including prisoners in prisons) the right  
not only to look at my own records but  
to correct change or remove records that  
contain incorrect irrelevant or incomplete  
information about me. and if my request  
for review or get documents papers, tapes  
informations, records etc is incorrectly denied  
or ignored I can sue under the laws  
in Federal or state courts against the  
Prison officials or agencies who denied all this to me.

- 416 > This law implements one of the basic principles of Democracy - the public's AND Prisoner's Rights to know what its government is doing.
- 417 > The New York Freedom of Information Law / FOIL grants New York State prisoners a right to access to prison records and to statements and memoranda that lay out the Docs policies, directives, manuals, and other records.
- 418 > This law under FOIL was patterned after the PIA federal laws, and was designed to make available to the public all documents generated by, and in the possession of, the government. See e.g. Ralph J. Marino The N.Y. FOIL 43 Forsham L. Rev. 83, 83 (1974), Senator Marino was the Senator sponsor of the law. See also N.Y. Pub. Off. Law § 84 (McKinley 2001 § 84a 2007-2015); N.Y. Pub. Off. Law § 84-96 and the 'NYCRR Title 7 § 5 et seq. 2005, and Docs Directive # 2010.
- 419 > So, because this complaint also includes federal AND state law violations this law apply to this complaint, and will be enforced too. Against the defendants in this case AND claims AND actions.
- 420 > The Defendants Above Has violated OR Continue Violated TO THE PRESENT ABREU 1ST 4TH 6TH, 8TH AND 14TH Amend Rights AND violated clearly the 42 U.S.C. §§ 1981; 1982; 1985 AND 1986 (DISCRIMINATIONS AND CIVIL RIGHTS CONSPIRACY claims.), AND violations of the APA, AND OTHERS' Federal AND state Laws Rights AND REGULATIONS including those mentioned AND SPECIFICATE ABOVE.  
HIOI.

- 421) Defendant Roberts Continue To The Present Retaliated, Harassed And Discriminate Abren, Who Has Written Against Him Numerous Grievances Or Complaints, Verbal, And In Writing.
- 422) ON 3/02 /2015 Defendant Roberts keep Abren Handcuffed With A Special Suit In A Small Cell Denied Abren Pads And Abren Was In That Small Room Between 2 To 3 Hours, Without Any Chair, OR Table.
- 423) The Same Day The Defendants Roberts And Defendant Laddie Ordering By Defendant Brown To Conduct A Search In Abren Cell, And Remove All And Each Only Magazines With Nude / Porn Pictures, However Defendants Roberts And Maxie Removed All And Each Of Abren Magazines And Newspapers, Books Etc The Which Not Were Nudes / OR Porn.
- 424) Abren Filed Grievances / Complaints About All This And Defendants Roberts AND Maxie Along With Others Cos Has Started To Threat Abren With Physical Assaults And Committing Others Many Misconducts OR Allowed Others Many Misconducts Such As Abren Cell Waters Be Turned Off OR Flooding Abren Cell With Waters OR Burned Abren Skin With Hot Waters, And / OR Denied Abren Get Medical Care / Attention To Injuries OR Pre-injured Complainings.
- 425) This Defendant Misconducts Continue To The Present, And Abren Continue Suffering Imminent Danger. AND Defendants Laddie, Brown I.G. Clark, Amici Bellini, Bellomy, Koenigsmann, N.Y. Doctor, Stick, Onif, Park, Venettozzi Continue Ignore Abren Complaints, All This Violated Also The 1st 4th 5th, 8th And 14th Amend. Rights  
#(93)

426) The Defendants provoke also in 3/02/2015  
that Abreu suffering pains cuts and  
Bruises due to the handcuffs keep on in  
Abreu both wrists hands. And wrote a  
false report Abreu for TRY to cover  
up all this. The ticket was written  
only because Abreu asked to talk with  
a watch command. (L.T assigned to the SHU)

427) Abreu regularly receive MISHANDLING  
REPORTS, ONLY because he demand request  
writing grievances making complaints write  
letters and fight for his rights OR  
because he TRY to force his rights AND  
Laws in PRISONS /SHU, the which this type  
of TICKETS is a clear violations of the  
CORRECTION LAW § 138. AND a violation of  
THE N.Y.S CONSTITUTION AND FIRST AMEND  
RIGHTS under the FREEDOM OF SPEECH.  
ONE RIGHT TO PETITION THE GOVERNMENT  
FOR A REDRESS OR GRIVABLE, see also eg  
Loggins v. Delo 999 F.2d 364, 367 873 A.D.  
1993). Hall v. Curran, 818 F.2d. 1040,  
1044 - 45 (2d Cir 1987), AND BROOK V.  
Andolina 826, F.2d 1266, 1268 (3d Cir 1987)  
(Courts do not allow prison officials to censor  
and discipline PRISONERS based on statements IN WRITING  
that are intended to insure PRISON PERSONNEL  
OR DEFAMATORY COMMENTS DIRECTED AT PRISON  
OFFICIALS, even if such statements would be  
PROHIBITED IF EXPRESSED VERBALLY).

428) Defendants FERRON AND TELLARY HAS started  
TO INTERFERING AND IMPEDED, Abreu grievances AND  
COMPLAINTS IN AGENDE OF NO PROCESS MANY OF THEM mainly  
those grievances OR appeals the which will affect  
DIRECTLY TO SEVERAL PRISON OR DOCS OFFICIALS, Abreu  
HAS WRITTEN COMPLAINTS ABOUT ALL THIS AND WRITTEN TO  
Both Defendants ASKED TO THEM TO STOP THIS VIOLATIONS, Abreu be  
IGNORED. THEY HAVE VIOLATED Abreu 1ST AND 14TH AMEND. RIGHTS  
#104.

- 429) Abren is suffering AND continues suffering to the moment of the filing of this complaint irreparable HARMs injuries AND imminent danger of serious physical injuries AND HARM.
- 430) Abren is behind plexiglass (Double Cell Shilds) with lack of oxygen, air AND Ventilations, the which also deprived Abren of proper or adequate Hearing
- 431) Abren is forced to wear a special suit, Abren is forced to wear a lock with the suit along with a belt and handcuffs that provoked Pains AND injuries AND HARM Abren including threats of physical assault, humiliations, discriminations, retaliations, denial of proper or adequate medical AND mental health services, denial of counseling services, denial of medications AND examinations, the which also provoked psychological injuries AND traumas
- 432) Abren is under concurrent ORDERS of Deprivations OF Recreations, showers, magazines/ newspapers, hearings (and all outside activities from his cell)
- 433) Abren continual bleeding from mouth nose AND anus Rectal./stool along with Denial of all medical care for this medical conditions AND symptoms
- 434) Abren is frequently AND regularly denied OR all his T.B. medications by Defendants OR interfered OR impeded that Abren receive his T.B. MEDS regular meds AND mental health medications the which will provoke Abren SUFFER serious IRREVERSIBLE HARMs Pains suffering AND still the death; FOR lack of his MEDICATIONS.

- 435) Abreu don't have yet received the  
Gonoscopy the Hand surgery and he  
not have yet received his orthopedic  
boot and back back support the which  
Abreu urgency need.
- 436) Abreu to the present neither has  
Received his nasal spray and Liprodol  
meds for High cholesterol AND Weather  
conditions, Abreu without his nasal spray  
will suffer a respiratory attack and  
or stroke or heart attack without his  
Liprodol meds.
- 437) Abreu continue behind of double cell  
shield / plexiglasses will suffer on an  
asthma attack for lack of ventilation.  
The ventilator inside of Abreu cell don't  
work in all And it is also covered up  
needing completely by the sink-toilet placed  
on on it. so there realis don't these on  
ventilator in all, and the holes that has  
the regular cell shield / plexiglasses has the  
covered completely for the special cell shield /  
plexiglasses placed on of the regular plexiglasses  
on the cell door / cell bars; so, there is no  
air in all that proper or adequate air,  
oxygen or ventilation going inside Abreu cell  
so, the dependants are trying to kill Abreu  
there are not any other explanations for this  
misconducts, abuses, discriminations and retaliations.
- 438) Abreu is unable con go to visit with his  
family wearing the special suit, lock, belt  
and handcuff for fear to be assaulted  
or attacked by other inmates, or that Abreu  
family be attacked, and homicide because  
the suit create discriminations, and rejections  
to the inmate who wear it not only by others  
inmates still by the own prison staff, who see it suit.

439) Abreu Cell water not have been fixed OR Repaired yet by the Defendants the cold water connodes turned off, the hot water connode keeping in high pressure, provoked that Abreu be unable con to DRINK water AND provoked that Abreu Lips get BURNED OR when Abreu TRY TO TAKE OF it water DURNED his Hand Damages his Properties AND legal papers.

440) The Defendant Has personally observed all this in their Shift Rounds, Defendants such as LEMPKO, ~~BROWN~~, Lucas (Rowdy), Hill, Hodges, Roberts, Schumacher, Varguez, Keenan, Mendoza, Stablick, Hamilton, Reid, Stark, Meora, Sowa, Herndon, Magtak, Gregoire, Carlson, Mexer, Fabes, And Lewis AND others more such as Glory, Joe Johns 1, 2 AND 3, Connell, Wilson; But all and each of they has ONLY SMILED, AND REASSED TO RESOLVE THE PROBLEMS PROVOKED BY DEFENDANT HAMILTON AND ROSBLOCH. STILL Defendant DOB John / Inmate grievance program Sgt/ Supervisor / Has IGNORED Abreu Complaints in his Shift Rounds every each week, (Once time in week)

441) Abreu ONLY received an open deliberate indifference to All AND EACH OF THIS UNCONSTITUTIONAL VIOLATIONS.

442) Defendant Blake Has also refused to pay Abreu Damages OR loss proffering AND Has interfering AND IMPEDED that Abreu can to Litigate his claims in the Court or claims. not Process Abreu Claims, when Abreu properties Has a Values of Between \$25,000 TO \$55,000 Dollars OR MORE ONLY in legal papers & several legal books. This is without Count the OTHERS PROPERTIES MISSING OR DESTROYED BY DOB. #102,

443) The Defendants Has also Denied Abren Proper And Degraded interpreters AND Translations in Hearings, in Medical AND mental Health Interviews in grievances AND Complaints interviews by PRISON OFFICIALS OR BY INSPECTOR general office. Denied interpreters AND THE in sick call services in mental health services, in Counseling services in Therapy services, and in OTHER situations.

444) Violated Abren Rights AND violated the recent U.S. Department of Justice CIVIL RIGHTS ORDER. That mandated AND REQUIRED TO /THEY AND DOCS TO provide adequate AND proper Bilingual services, Spanish translations / Interpreters to / Abren in medical AND mental Health services, in grievances AND Complaint Interviews in I.G. / Office of Investigations Farmed AND Investigations in Law Library services in Counseling services, in Disciplinary Hearings, and in Assitant ADs.

445) Even the Defendants Has further knowledge OF THIS agreement Signed by U.S DEPT OF JUSTICE. The DOCS THE OMH, AND THE COMMISSIONERS. The Defendants Continue to the present Denied Abren his CIVIL RIGHTS. AND DISCRIMINATED TO HIM. IN VIOLATION OF THE CIVIL RIGHTS OF 1964 THE WHICH PROHIBIT DISCRIMINATIONS SUCH AS THE U.S DEPT OF JUSTICE HAS ADVISED TO THE DEFENDANTS. (DOCS /OMH n.y.s.) AND THIS AUTHORITIES AND PRISON OFFICIALS.

446) The Defendants Continue placed Abren in an imminent dangers and irreparable harm placed Abren Health, life, safety, security well being, care AND welfare in an imminent danger of serious injuries/harm.

Claims for Relief  
Relief Requested

WHEREFORE Plaintiff requests that the Court grant the following relief:

- A. Issue a Declaratory Judgment stating that:
- 1) The Defendants violated the Plaintiff's Rights 1st, 4th, 5th, 8th AND 14 TH Amendment Rights And violated the Due Process Rule And unusual punishment unusual search OR unlawful search - Religion Rights, Double Jeopardy, The ARTICLES OF THE U.S. Constitution; The ex post facto law.
  - 2) The Defendants violated the Plaintiff's Rights under state law, federal laws, the APA the ADA And Rehabilitation Act, And others Rights.
  - 3) The Defendants violated the Plaintiff's Rights UNDER Regulations AND Directives AND Policies.
- B). Issue an injunction ordering Defendants to Remove the plexiglasses from Abreu cell DOOR / cell bar, Remove the restrictions AND to TERMINATE, the SPECIAL ~~Units~~, ORDERS to TERMINATE, the derivations AND TERMINATE the restrained orders TO TERMINATE the SPECIAL placards/signs, placed front Abreu cell.
- C) Issue an injunction ordering THE Defendants OR their agents their successors in office; employees; and all other persons acting in concert and participation with them

- 1> Provide Abreu with his eye glasses with SV. rays lenses.
- 2> Provide Abreu with his medical books
- 3> Provide Abreu with his Back brace,
- 4> Provide Abreu with a colonoscopy,
- 5> Provide Abreu with a Hand surgery for his carpal tunnel
- 6> Provide Abreu with proper physical therapy and proper pain medications
- 7> Provide Abreu with his Lipitor (Claritin) medications, and his nasal sprays
- 8> Provide Abreu with his mental health medications
- 9> Provide Abreu with all necessary and proper and adequate mental health services, programs and treatment
- 10> Provide Abreu with all proper and adequate medical and mental health examinations, and evaluations by specialists
- 11> And (A) ordering that Yael comes to provided Abreu (B) Spanish ~~Situation~~ stations be placed in the SHU Radio House (C) and the hot water for Abreu kosher meals be provided for the descendants (D) including all Spanish materials of the which Abreu is invited to receive in the SHU.
- D> Issue an injunction ordering that all tickets, hearings, and sentences be expunged from Abreu records described in complaint.

- (E) Issue on Injunction ordering to the Defendants to provide Abreu with Spanish Translators And Interpreters in Hearings in Sick-call services, medical services, in Counseling services in mental health services and interviews; in grievances and complaints investigations and interviews in Inspector General Office / Office of Investigations Interviews, in therapy etc such as mandate and required the U.S. Dept of Justice, the Civil Rights Act Agreements, and any other rights and laws.
- (F) Issue on Injunction ordering to the Defendants to return Abreu all and each of his magazines and newspapers be this regular or porn or nude mags.
- (G) Issue on Injunction ordering to the Defendants to pay all Abreu, damages personal properties, legal materials, and missing or loss or destroyed personal properties or belonging items made by the Defendants, without Abreu permit / consent
- (H) Issue on Injunction ordering to the Defendants to repair and fix immediate Abreu cell water from his cell sink.
- (I) Issue on Injunction ordering to the Defendants to provide Abreu with long Johns top/bottom in the SHU for to fight the cold conditions in the SHU cell, the which is extremely cold.
- (J) Issue on Injunction ordering to the Defendants to stop the violations of the kosher meals in the MHU obs cell to provide hot water to the MHU obs cells and stops/cease the inappropriate strip searches, in the MHU obs cells and in SHU.

- (K) ISSUE ON INJUNCTION ORDERING THE DEFENDANTS TO PROHIBIT ABREN PROSECUTIONS FROM THOSE WHO ARE TRYING TO ASSAULT HIM OR / AND OR THOSE WHO HAS ALREADY ASSAULTED HIM AND SEVERELY HARASSED ABREN. AND PROSECUTIONS TO HIS PERSONAL PROPERTIES LEGAL MATERIALS LEGAL BOOKS AND BELONGING PROPERTIES, THE WHICH THEY HAS ACCESS.
- (L) ISSUE ON INJUNCTION ORDERING THE DEFENDANTS ATTORNEY, LEEKE, CHIEF INSPECTOR GENERAL ETC, TO FILE CHARGES (CRIMINAL CHARGES AGAINST THOSE WHO ASSAULTED ABREN WITH HOT WATER BURNED PART OF HIS BODY, AND THOSE WHO ALLOWED TO THIS STAFF TO DO SO.
- (M) ISSUE ON INJUNCTION FINDING THE POLICY AND DIRECTIVE ABOUT INMATE EXPOSURE CONTROL, AND SPECIAL SUITS TO BE UNCONSTITUTIONAL AND DISCRIMINATORY **TO THOSE OFFENDER/INMATES WHO WEAR THE SUITS TO SUFFER SERIOUS HUMILIATIONS AND SERIOUS THREATS TO THEIR SECURITY, SAFETY, AND WELL-BEING, INCLUDING TO THE INMATES FAMILY AND LOVED ONE WHO COME TO VISIT TO THEM, AND WILL SUFFER REPRISALS.** AND HUMILIATE TO OUR OWN FAMILY THE WHICH DON'T HAVE NOTHING TO DO WITH THE PRISON SYSTEM SUCH AS FOR TO PAY FOR UNNECESSARIES HUMILIATIONS OR DANGER THAT PROVOKE THE SPECIAL SUITS IN THOSE INMATES SUCH AS ABREN WHO WEAR IT INVOLUNTARILY, AND FORCIBLY, AGAINST HE DESIRE/WISH.
- (N) MOREOVER THE SPECIAL SUIT/EXPOSURE SUIT CLEARLY VIOLATE ALSO THE CONSTITUTION UNDER THE THEORY OF THE RIGHTS TO PRIVACY BECAUSE PRISONERS ARE CONSTITUTED TO PRIVACY, BECAUSE PRISONERS MAY NOT BE PUT ON DISPLAY FOR THE ENTERTAINMENT OF THE PUBLIC OR PRISON OFFICIALS. SEE EG LAURO V. CHARLES 219 F.3d 202, 203 (7th Cir. 2000); DENEERY V. ARPAIO 378 F.3d 1020, 1029-30 (9th Cir. 2004); ANDERSON V. ROMERO 72 F.3d 518 (1995) AND CASES CITED.

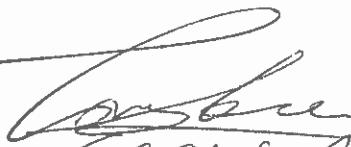
# VERIFICATIONS

State of New York),  
County of Erie, ss.

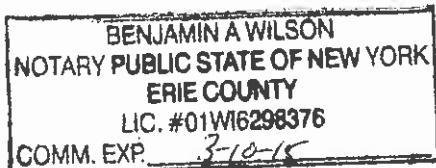
Carlos Abreo, being duly sworn, says:

I am the Plaintiff above named; I have Read the foregoing Complaint against each Defendant stated in the Complaint and Claims. AND KNOW its contents; THE SAME is TRUE TO MY KNOWLEDGE, EXCEPT AS TO THE MATTER THEREIN STATED TO BE ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE MATTER, I believe it to be true.

Dated: 3/15/2015  
Erie County N.Y.S.

  
Carlos Abreo  
W.M.D. CORR., F.A.C.

Sworn to before  
me this 15  
day of March 2015  
Benjamin Wilson  
Notary Public



(O) AWARD COMPENSATORY DAMAGES AND ORDER DEFENDANTS TO PAY COMPENSATORY DAMAGES TO PLAINTIFF ABREU

AWARD PUNITIVE DAMAGES AND ORDER DEFENDANTS TO PAY PUNITIVE DAMAGES TO PLAINTIFF ABREU

"OR  
ALTERNATIVELY"

(P)\*) AWARD COMPENSATORY DAMAGES IN THE FOLLOWING AMOUNTS

1) \$ 25,000,000 (25 MILLIONS OF DOLLARS)  
JOINTLY AND SEVERALLY AGAINST ALL  
THE DEFENDANTS.

(Q) \*) AWARD PUNITIVE DAMAGES IN THE FOLLOWING AMOUNTS

1) \$ 10,000,000 (10 MILLIONS OF DOLLARS)  
JOINTLY AND SEVERALLY AGAINST ALL  
THE DEFENDANTS

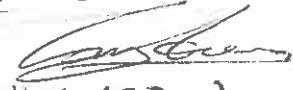
R) "GRANT SUCH OTHER RELIEF AS IT MAY APPEAR THAT PLAINTIFF  
IS ENTITLED."

Dated: 3/15/2015.

  
CARLOS ABREU  
# 99A3027  
SHU-42-17 C-11  
Wende Corr Fac  
Wende Rd, P.O.  
Box 1187  
Albion, N.Y. 14004-1187

Pursuant to 28 U.S.C § 1746  
I declare under penalty of perjury that the foregoing is  
true and correct

Dated 3/15/2015

  
#(103)

URGENT

TO : Jason D. EFFMAN  
Associate Commissioner  
NYS Docs Building #2.  
1220 Washington Avenue  
Albany N.Y 12226-2050

From . Carlos Abreu  
# 99A3027  
Sku. 42. 17 cern  
Wendie Carr Fac.  
Wendie Rd P.O Box 1187  
Alden, N.Y 14004

Date. 3/12/2015

Re: The abuses continue/staff misconducts

Dear MR. EFFMAN:

ON 3/04/2015 you sent to the Inspector General Investigator to investigate my complaints regarding sexual Harassment from Counselor SKUBIS AND C.O Harrison in the Sku. after of the Interview with I.G.  
Office/Office of Investigations (Investigator)  
The Sku SGT meeka to interview me also

Regarding the same issues, I.G. Investigator was still inside of the Rock when the Sgt Meeks go inside to interview me. about the same complaints.

Approx 20 to 30 minutes I.G. Investigator left, when I was inside of my cell the CO Hamilton in rotations for the investigations against him and Skubis go behind my cell wall where are placed the connections of the sink and toilet, and knock and kicked my cell back ~~the~~ wall and yelling me you will go see now mother--KUKER, I will go kill you, fucking Bitch and then a lot of waters in a pressuring manner starting to coming out from my sink, the water has so many pressure that it touch the ceiling of my cell, and cell door, he keep it for several minutes wetting me, my bed, clothes, legal materials, legal books, properties after he left and walk front my cell door to look the damage inside of my cell, he walking again

AND DID THE SAME THINGS TO ME, NOW  
WITH HOT WATER. ON 3/5/2015 LATELY  
IN THE MORNING APPROX 6:30 AM TO 7:30  
AM WHILE I WAS SLEEPING AND RESTING ON  
MY BED HE DID THE SAME THINGS. HE CONNECTED  
THE HOT WATER IN HIGH PRESSURE BURNED  
SOME PARTS OF MY BODY. FLAMED MY CELL  
AND DANGERED MORE MY PROPERTIES. AND  
FORCED TO SLEEP ON WET BED, BLAKES  
Sheets, Then When HE SERVED THE BREAK-  
FAST. HE GAVE ME A TRAY AND CUPS  
~~that~~ FULL OF WET TOILET PAPER. (There  
WAS NO FOODS IN ALL ONLY WET TOILET  
PAPER)

THE L.T. KELVIN, AND STA. SGT. MORA  
WERE MAKING ROUNDS IN THE STA. APPROX  
30 MINUTES AFTER THE BREAKFAST, I REPORT  
THE INCIDENT TO THEM AND SHOWED TO THEM  
THE CELL ALL WET, BED, SHEETS BLAKES PAPER  
CLOTHES ETC. THEY ONLY SMILED WHEN THEY  
SAW ALL THIS, INCLUDING WHEN I REPORT TO  
THEM ABOUT MY FOOD PROBLEMS & INJURIES

AT LUNCH TIME THE C.O HARRISON AND  
THE E.O.S. DID THE SAME AGAIN  
NOT FEED ME ANY FOODS IN ALL ONLY  
WATER PINGER POPPERS. THEY STRIKED WHEN I  
OPEN THE TRAY FULL OF PINGER POPPERS  
APPROX. 6:00 PM THE L.T. LUCAS AND  
SGT. HODGES WERE MAKING ROUNDS IN THE  
SHU. I REPORT THE SAME INCIDENTS. I  
SHOWED TO THEM ALSO PLATES & DISHES  
THAT C.O HARRISON KEPT MY COLD WATER  
IN HIGH PRESSURE TOO AND TURNED OFF  
MY COLD WATER SO I CANNOT DRINK  
WATER. AND SHOWED TO THEM THE ITEMS  
NOT TOO. THE SGT. HODGES GET MAD/ANGRY  
THAT I STOPPED TO THE L.T. LUCAS APPROX  
10 TO 12 MINUTES AFTER THE C.O KEVIN  
ROSPHCK WALKED BEHIND MY CELL ~~DOORS~~  
WALL AND CALLING ME, EH BITCH, SUCK.  
MY DICK EH ABREN KILL YOURSELF, YOU  
WILL GO DIL, WE WILL GO KILL YOU, HARRISON  
AND SGT. HODGES SEND YOU THIS. THEN A LOT

OF HOT waters STARTING TO COMING OUT  
in High, High Pressure BURNED MY Face,  
neck, Chest, And Arms in Different  
parts. He Continue Doing so over and  
over ALL night, left and come, (back  
on forth) I screaming for HELP and  
yelling to him STOP STOP you are BURNED  
me with HOT Waters STOP Please while  
I COVERED MY SELF WITH MY MORS/BLOKOS  
and MATTRESS, I ONLY HEARD HIM SHILED  
out, calling me BITCH SICK MY DICK DIE  
I YELLED HIM YOU WILL GO, GO TO JAIL  
your Hand BURNED MY SKIN AND PROVOKED  
injuries, HE YELL I don't care, I am  
Ready to go to Jail.

I was Denied of medical care, and  
I Filed SICK CALL REPORTING MY INJURIES  
TO NURSE GLORY AND REPORTING TO HER THAT  
C.O'S NOT WAS FEEDING FOODS. SHE CAME TO SEE  
ME FRONT MY CELL ON 3/06/2015 in THE MORNING  
Along with C.O HAMILTON WHO MAKE SIGN TO SHE

Don't Report the Incident / my injuries  
she refused to report this to the Supt.  
OR Water Commons / Common OR DSN for  
that photos can be take of my injuries  
she refused to observe my chest, neck  
& face, alleged that she cannot to see  
me well due to the sunglasses placed front  
my cell. She only allow me to show to  
the one arm. via feed chute / Hatch, she  
refused to put me out of the cell for  
examinations and refused to allow me  
see a doctor. This is very clear that  
they are trying to cover up the incident,  
and my serious injuries they don't to  
provide me nothing in all for the pains  
on my skin. I showed to the process  
that the water continue in High Pressure.  
I need your help and I feel  
my safety threatened in WADL C.F and  
Supt Lanza, DSS Brown, Supt Sgt neora  
Sgt Hodge, & L.T. Keenan & L.T. Lucas are  
supporting all this retaliations and  
16,

MISCONDUCTS OF C.O. HARRISON, C.O.  
S. AND THE OTHER C.O. AGAINST ME  
I HOPE YOU SENT TO I.G. IMMEDIATELY.

THANK YOU.  
SINCERELY



C/C: Kline

C/C: Dept Commissioner Accordin  
CC: Inspector General Office

cc: Mr. Bellard Deputy Commissioner  
C/C: Super Warden

C/C: Mrs Brown

C/C: N.Y.S. Commission on Correction

C/C: F.B.I. in Buffalo NY

C/C: U.S. Dept of Justice

TO: DSP ms. (Rouley)  
Vende C.F

From: Carlos Abreu  
# 99A30d7  
SMM - 42-17 011

Date: 3/10/2015

Re: Legal copies in the law library

Dear ms. Rouley:

I sent to the law library two manila envelopes, for legal copies this have been already one ENTITLED MONTH AND I HAVE NOT YET RECEIVED ANY OF MY LEGAL COPIES. THE L.T. Lucas recommended me to write to you. He alleged that the law library has four (4) manila envelopes, waiting that you approve the legal copies. the Sgt Connoc's has it four manila envelopes in his position.

- 1) manila envelope was sending to the law library on Feb 10/2015 for taping services and six (6) legal copies.
- 1) another manila envelope was sending to the law library with legal documents inside on Feb 12-14/2015, I asked for one copies each pages.
- 1) on or about Feb 17/2015 other manila envelope with legal documents was sending to the law library by me, I asked two copies each pages.
- 1) And recently I have sending other manila envelope to the law library on 3/07/2015 with a court order from the Cayuga Supreme Court

ORDERED THAT I SERVE COPIES UPON THE ATTORNEY GENERAL OFFICE AND THE DEFENDANT'S OF THE SUMMONS AND COMPLAINT AND DOCUMENTS ATTACHED.

So, There is a total of four monica  
Copies in the law library the which I  
Don't Have yet Received Only legal copies.  
I attach to each Monica copies, one  
Divorce request form, plus a letter-form  
Explained the need of each copies. in  
my request for legal copies there are  
Dead line, And Statutes of Limitations.

Please Be advised that if I missing any  
of my Deadlines And Statutes of Limita -  
tions you will be liable of all this.

Responsibles (1) you (2) ADSP Hill (3) Sgt Conduct  
(C.I.SUPV.) (4) C.O. Wilson C.L OFFICER And  
(5) Supt Lemcke. The which I Have advised of  
the problems with the copies.

Thank you



Carlos Abreu  
# 99A3227

Value of \$100  
3/10/2015

TO: COPY:

cc: fire

C/C: Judge Brubaker  
Penico Supreme Court

cc: Judge Mark H. Fosdick  
Cayuga Supreme Court

cc: Court of claim Clerks/Supreme Court of Albany Clerks

Federal Judge Siragusa Western District Court.

TO: Dept Commissioner Annucci  
N.Y.S. Dept Building # 2  
1220 Washington Avenue  
Albany N.Y 12226

From: Carlos Abreu  
# 99A3027  
Wendle C.R.  
Stn. 42-17 C.R.  
Wendle Rd., P.O. Box 1187  
Alden, N.Y 14004-1187

Date: 3/10/2015

Re: Continue Problems with the Legal Copies  
Dear Commissioner Annucci:

This is my four letter that I sent you regarding my legal copies. The law library Sgt/ Supervisor MR Connolly continue keeping my legal documents in the law library for an entire month. Refused or failed to provide me my legal copies or refused to return me back my legal documents. For that you can to understand well the problems I will go again to explain the issues/matters.

On 2/10/2015 I sent to the law library a documents (legal documents required typing service of an appellant's brief and six copies).

On 2/14/2015 I sent a monica envelope with legal documents inside to the law library with an attached advance request form required one copy each pages.

On 2/17/2015 I sent another monica envelope —

with more legal documents asked and required  
two copies each page. I also attached an  
advance request form such as require  
docs Directive 4483 AND Facility Policy  
Situ form AND L.L. form the maximum that  
this will take for to clear OR be approved  
by the DPP ms. (soccer are five (5) business  
days. All my 3 Manila envelopes with legal  
documents inside has been confiscated by  
the L.L. Sgt/Supervisor Connolly, without  
any authorizations by Docs central office  
authorities or Counsel office. The Sgt Connolly  
is doing all this with the only purpose of  
harassment, Retaliations, Abuse of authority to  
Denial me access to the courts, interfering  
with my cases, AND FOR OWN ME.

Recently on 3/6/2015 the cargo supreme  
Court Judge MARK H. FORDRICH sent me  
a court order ordered me serve copies  
of the complaint summons AND EXHIBITS attached  
UPON Jack Defendants AND upon the Attorney  
General office. I gave the court order  
and all legal papers/documents that the Judge/  
the court sent me for make the copies to the  
law library's officer Mr. Wilson on 3/09/2015  
seven (7) days has passed already and I have  
not yet received any of my legal copies. I  
believe the Sgt. Connolly has also confiscated  
this legal documents AND court order too.

So, now they has for Manila envelopes full  
of legal documents 3 from February 2015  
AND ONE ms from March 2015, ALL THIS CONNOLLY  
CARRIERS ARE UNCONSTITUTIONAL AND VIOLATE  
DOCS OWN DIRECTIVE POLICY & REGULATIONS.  
I HAVE LEGAL DEFENDERS AND STATED OF  
LIMITATIONS, IN SUCH LEGAL DOCUMENTS.

I HAVE SPENT ALOT OF TIME FOR ON ENCLOSED TO  
(2)

TO THE SHU SUPERVISOR, SGT GREGOIRE, TO  
THE SHU WATCH COMMAND L.T. LUCAS, AND  
L.T. SOWA AND SGT MORO. THEY TOLD ME  
THAT THEY DON'T WANT BE INVOLVED IN THIS PROBLEMS.  
THAT THIS ARE PROBLEMS BETWEEN SGT CONNOLLY AND  
ME.

I HAVE WRITTEN LETTERS TO THE SUPERINTENDENT  
LEMPKE AND DEPUTY SUPERINTENDENT FOR PROGRAM  
MS. CROWLEY AND HIS ASSISTANT MR HILL, FOR  
ON INTROD MONTH ASKED TO THEM FOR MY LEGAL  
DOCUMENTS AND REPORTING SGT. CONNOLLY, AND  
C.O. WILSON MISCONDUCT AGAINST ME AND MY  
LEGAL PAPERS, BUT THE SUPERINTENDENT AND HIS  
ASSISTANT HAS FAILED AND PLEASED TO  
ANSWER OR RESPOND TO MY LETTERS OR  
COMPLAINT, THE WHICH VIOLATE ALSO DOCUMENTS  
OUR DIRECTIVE, ABOUT CORRESPONDENCE.

I HAVE WRITTEN DAILY TO THE LAW LIBRARY CLERK  
AND SGT CONNOLLY ASKED TO HIM FOR MY  
LEGAL DOCUMENTS AND ASKED AND REQUIRED TO  
HIM TO RETURN ME BACK ALL ONE EACH OF MY  
LEGAL DOCUMENTS OF THE MONTH OF FEB/2015 (  
3 MONICA INVESTIGATE FILE OF LEGAL DOCUMENTS)  
HE AND THE CLERK HAS REPLIED TO DO, SO AND  
HE HAS REPLIED INTENTIONALLY TO REFUSED OR  
ANSWER TO ANY OF MY LETTERS, VIA LAW-  
LIBRARY OR VIA MAIL.

THE LAW LIBRARY OFFICERS DID ME THAT SGT  
CONNOLLY HAS THE FOUR MONICA INVESTIGATE WITH  
MY LEGAL PAPERS INSIDE OF HIS PERSONAL LOCK, IF  
THAT HE HAS PROHIBITED THAT THE LEGAL DOCUMENTS  
BE RETURNED BACK TO ME THEY ALLEGED ME, THAT  
HE IS MAD/ANGRY, OR UPSET THAT I HAVE WRITTEN  
MULTIPLE GRIEVANCE COMPLAINTS AGAINST HIM, AND  
THE LAW LIBRARY THAT NOW I AM RECEIVED RETRACTED  
THAT HE DON'T CARE WHAT ALBANY SAY THAT HE NEED  
ONLY TO DENIAL MY ALLEGATIONS AND ALBANY BELIEVE IN  
IT, ALSO THE OTHER THAT THERE IS A CONSPIRACY

in the Facility Level by Sgt Lemke, Dr. Crowley And ADSP Hill, along with Sgt Connolly, Of Confiscated all one back on my Legal Documents of the which I request copies; all this without Albany approve or authorization.

I Don't know, what this people here tell to you or to your boss when you call here about investigate my complaints but there are not no excuse in all for keep my legal documents for on MARCH Month and after Connolly Confiscated all other documents even with a COURT ORDER OR even I explained to them that I have a legal dead line and that the Statute of Limitations for file on ARTICLE 78 on COURT OF Claims Control Remained.

They has confiscated all of each of my exhibits for my ARTICLE 78 regarding the III Hearings Confiscated all of each of my exhibits about my claims. etc There are not Reasons for P do so, we're free to interfering with my Rights or access to courts. also The denial of return my own legal papers is I change of mind and no want the legal copies is COMPLETELY WRONG AND UNCONSTITUTIONAL And the Sgt SGT of L.T.S. alleged that they don't want P be involved in this problem. Show to you the Conspiracy, That they know what is going on but they don't want to me., This is Unbelieve that only one Sgt/Sgt Connolly can control and manipulate all a Facility to his superiors, to High officials to the Entired Administration and to DDCR in Albany. How much more time I ~~need~~ to wait for get my legal papers back OTHER MONTH? TWO MONTHS? 3 months? ONE year? file a § 1983 in Federal Court reported all this abuses of retaliations? Please let me know what I supposed in this serious problems in whose  
(4)

Please send immediately to the Inspector General Investigator who can come here to Wende C.F. to investigate Sgt Connolly misconduct against me AND C.O. Wilson misconducts. I believe this is the best that you can do in this moment because continue to call to this administration or forward to them my letters for investigations. Any answers only they will do continue lied to you AND TRYING TO COVER UP THE MISCONDUCTS OR CONSPIRACIES OR RETALIATIONS OR HARASSMENTS AGAINST ME. The council office appear also don't have any control or the law library here and of state misconducts AND THIS IS POSSIBLE THAT THEY ALSO ARE LIED TO THEM PROVIDED FALSE OR FABRICATE OR MANIPULATE RESPONSE, ANSWER OR FAVOURITISATIONS. The best in this point is you send to Wende C.F. a fair IG Office / Justice or Investigations Investigator AND STOP IMMEDIATELY THE STATE MISCONDUCTS ABOUT THE LAW LIBRARY AND MY LEGAL DOCUMENTS AND AGAINST ME.

I hope that you can resolve all this matters and problems in this time, as soon as possible.

Thank you.

Respectfully Submitted

John Doe

C.C: NYSC Commissioner  
Corrections AND  
NYSC Governor Cuomo.  
U.S. DEPT OF JUSTICE  
OFFICE OF CIVIL RIGHTS  
AND U.S. PRESIDENT MR OBAMA  
WHITE HOUSE.

WENDE C.F.  
SUITE 42-1700



125 Broad Street  
New York, NY 10004  
212.607.3300  
212.607.3318  
[www.nyclu.org](http://www.nyclu.org)

**CONFIDENTIAL LEGAL MAIL  
TO BE INSPECTED ONLY IN THE PRESENCE OF THE PRISONER**

April 22, 2014

Carlos Abreu  
DIN 99A3027  
Auburn Correctional Facility  
PO box 618  
Auburn, New York 13024

Dear Mr. Abreu,

Thank you for contacting the New York Civil Liberties Union concerning your current situation and the denial of medical treatment, due process, access to records and other services while in the SHU. Unfortunately we are unable to take on your individual case since we have a limited staff. However we are enclosing a list of Prisoners Rights organizations that we suggest you contact for help as well as a list of Administrative Remedies that may pursue.

You are also receiving this letter because you are a potential class member in a federal lawsuit, *Peoples et al. v. Fischer et al.*, 11 Civ. 2694 (SAS) in the Southern District Court of New York and have contacted the New York Civil Liberties Union ("NYCLU") or the law firm of Morrison & Foerster requesting legal assistance related to the Special Housing Units ("SHUs") operated by the New York State Department of Corrections and Community Supervision ("DOCCS"). This letter is intended to inform you of what the litigation does and does not do, to update you about recent developments in the *Peoples* litigation, and to inform you about how to communicate with the plaintiffs' lawyers about the SHU reform process now underway.

THE STIPULATION AGREEMENT REACHED IN *PEOPLES V. FISCHER*

The NYCLU and the law firm of Morrison & Foerster represent three plaintiffs in the *Peoples* lawsuit against DOCCS officials. The lawsuit challenges DOCCS' policies and practices regarding SHUs. The goal of the lawsuit is to reform SHU policies, specifically those regarding who is placed in SHU, for how long, and under what conditions.

For the last ten months, the plaintiffs' attorneys and DOCCS have conducted settlement negotiations about reforms to the disciplinary SHU system. On Wednesday, February 19, 2014, the parties filed court papers, a "Stipulation." The Stipulation is an agreement to put the lawsuit on hold for two years while DOCCS will undertake initial reforms to SHU policies and conditions.

{00035598:3 }

The New York Affiliate of the American Civil Liberties Union | Jonathan Horn, President | Donna Lieberman, Executive Director

**CONFIDENTIAL LEGAL MAIL**

During this time, two experts will issue recommendations for further reforms throughout the entire SHU system. A description of the actions to be undertaken is included in the enclosed press release.

If the process is successful, we expect to enter into a final settlement agreement by the end of the two-year period. If the process is not successful, we will go back to court.

**THE LITIGATION DOES NOT PROTECT ALL YOUR LEGAL RIGHTS**

The lawsuit is a potential, or "putative," class action. A class action permits individual plaintiffs to represent a group, or "class," of people who share an interest in a particular legal dispute. In this case, the three individuals who filed this lawsuit asked to represent all prisoners currently in DOCCS's custody as members of a class.

However, the plaintiffs in a putative class action are not permitted to represent the members of the class until a court grants the plaintiffs' motion to proceed as a class action, which is called "certifying" the class. In this case, the plaintiffs agreed to the Stipulation before any motion for class certification was filed, so no class action of any kind has been approved by the court at this time and the plaintiffs and their counsel do not represent you.

If the reform process fails and the parties end up back in court, the plaintiffs expect at some future date to file a motion to certify the class. If the court were then to grant approval and certify the lawsuit as a class action based upon the class definition currently proposed by the plaintiffs, all prisoners currently in DOCCS' custody would be class members. The plaintiffs seek only policy changes on behalf of proposed class members. The plaintiffs do not seek any money damages on behalf of proposed class members. Even if this case eventually moves forward as a class action, class members who believe they are entitled to receive money damages for their treatment in SHU would have to file an individual lawsuit to obtain damages.

While the reforms plaintiffs are hoping to achieve through the reform process would benefit all DOCCS prisoners if the process is successful, it is important for you to understand that no class action has been certified in this case at this time.

If you believe that your rights have been violated with regard to a SHU placement, you should seek independent legal advice. You should know that the Prison Litigation Reform Act requires prisoners to exhaust all available administrative remedies before filing a federal lawsuit. Enclosed is a fact sheet that describes the process of filing a grievance and a disciplinary appeal. Failure to exhaust administrative remedies may result in you permanently forfeiting important legal rights. The currently pending litigation does not preserve all your rights and it does not modify the administrative remedies discussed in the enclosed fact sheet.

**CORRESPONDING WITH THE PLAINTIFFS' LAWYERS ABOUT THE REFORM PROCESS**

CONFIDENTIAL LEGAL MAIL

As the reform process continues, the NYCLU and Morrison & Foerster benefit tremendously from hearing from current prisoners about their SHU sanctions or SHU conditions of confinement. We are also interested in hearing from individuals who have had recent experience with any process that has involved a review of SHU sanctions and the consideration of time cuts. Receiving letters from you helps us stay informed and better understand what is actually happening on the inside. We constantly review this correspondence and use it to inform our understanding of what is going on inside the facilities.

If you would like to send us letters, copies of misbehavior reports, dispositions imposing SHU sanctions, grievances, appeals, or any other documents, we encourage you to do so and we welcome your correspondence, but please keep the following in mind:

- Even if you send us your documents, we are not agreeing to assist you with any individual legal claims and you remain solely responsible for seeking independent legal advice and for protecting your own legal rights;
- Please do not send us originals or copies that you need to be returned to you, because we will not be able to return them;
- Given the volume of mail that we are currently receiving, we will not be able to respond individually to each letter we receive.
- Please write "Peoples case" on your envelope.

We are, however, reading and reviewing your correspondence and it is extremely valuable in informing our work. We will write you periodically whenever we have a public update that we can share with you about the reform process.

Finally, you should know that the reform process is being watched nationally, and that many people across the country are thinking about and supporting reforms to SHU for all prisoners in DOCCS.

Sincerely,

*Legal Intake Committee*

Legal Intake Committee  
New York Civil Liberties Union

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**VI. Sample Grievance**

Any disciplinary appeal or grievance you file must reflect true and accurate facts about your particular situation, for example:

- If you are filing a grievance about the length of a SHU sanction, you may want to follow the language for the disciplinary appeal, on page 5 above.
- If you are complaining about the conditions of confinement in SHU, you may want to include language like the following:

"I am grieving the severely harmful conditions in SHU at [NAME OF CORRECTIONAL FACILITY]. Confining a human being in an isolation cell with little or no human contact or other stimulation is mentally and physically damaging, and violates my rights under New York law, the United States Constitution (including the Eighth Amendment and Fourteenth Amendment), and human rights treaties. I request that DOCCS take immediate action to alter the severe conditions of confinement in SHU, including permitting me more out of cell time and more human contact, more visitation, and more programming and recreation with other prisoners."

- If you are complaining about being double-celled in SHU, you may want to include language like the following:

"I am grieving the fact that I have been double-celled with another prisoner in the SHU at [NAME OF CORRECTIONAL FACILITY]. Confining two people to a SHU cell and recreation pen that they are locked in 24 hours a day, with no meaningful programs or other opportunities to leave the cell, and no privacy for defecating or showering, violates my rights under New York law, the United States Constitution (including the Eighth Amendment and Fourteenth Amendment), and human rights treaties. I request that DOCCS stop double-celling prisoners, including me, in the SHU."

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**V. Sample Disciplinary Appeal**

Any appeal you file must reflect true and accurate facts about your particular situation. Below is a sample form letter that you may want to consider as a model when filing your appeal.

Dear Acting Commissioner Annucci:

I am hereby appealing from a determination of the following Superintendent's hearing:

Hearing held at [NAME OF CORRECTIONAL FACILITY] \_\_\_\_\_

Date of Disposition: \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Disposition Received: \_\_\_\_\_

In accordance with Section 254.8 of Title 7 NYCRR, I request that you review and reverse my Superintendent's Hearing.

The SHU sentence that I received violates my rights under New York law, the United States Constitution, and human rights treaties.

The following procedural violations occurred during my hearing: [List all the procedural violations that you believe happened during your hearing. If applicable, include language like the following that emphasizes the severity of your SHU sentence]

My SHU sentence places me on 23 hour lock-down without meaningful programs or recreation, even though I do not pose any threat to the safety of other prisoners or correctional staff. This SHU sentence is disproportionate to the rule violations that I was charged with. I request an immediate transfer out of the SHU and a return to general population. I further request that DOCCS stop sentencing prisoners, including me, to the SHU for disciplinary purposes.

[NOTE: If you are seeking programming and treatment rather than just punishment, you may want to request that programming. For example, if you received a drug-related disciplinary ticket (e.g. dirty urine) and you want access to substance abuse treatment, you may want your appeal to include a description of the type of treatment you seek and explain that a SHU sentence prevents you from obtaining adequate treatment and avoiding future drug-related disciplinary infractions. Or if you need mental health counseling, you can request that.]

Please notify me of your decision.

Sincerely,  
[YOUR NAME]  
[DIN #]  
[COMPLETE FACILITY ADDRESS]